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FACULTY MANUAL

Approved by Board of Trustees 10-10-97

UNIVERSITY OF SOUTH CAROLINA SPARTANBURG
OFFICE OF ACADEMIC AFFAIRS
800 UNIVERSITY WAY
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Revisions in this manual approved by University of South Carolina Columbia Board of Trustees on October 10, 1997.

BOARDS, COMMISSIONS, UNIVERSITY OFFICERS

Boards and Commissions

Board of Trustees

The University of South Carolina was chartered by the South Carolina General Assembly in 1801. The University is a body corporate and politic, in deed and in law under the name of the University of South Carolina. Several sections of the University's enabling legislation and bylaws are summarized below.

Composition of the Board of Trustees (Section 59-117-1O, as amended).

The Board of Trustees of the University of South Carolina shall be composed of the Governor of the State (or designee), the State Superintendent of Education, the President of the Greater University of South Carolina Alumni Association, which three shall be members *ex officio* of the Board; and seventeen other members including one member from each of the sixteen judicial circuits to be elected by the general vote of the General Assembly as hereinafter provided, and one at-large member appointed by the Governor. The Governor shall make this appointment based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the Board is representative of all citizens of the State of South Carolina. The Officers of the Board of Trustees are the *ex officio* Chair who is the Governor of South Carolina; the Permanent Chair; the Vice Chair; the Chair Emeritus, if applicable; and the Secretary of the University and the Board.

Terms of Elected Members (Section 59-117-2O, as amended)

The regular term of office of each trustee elected by the General Assembly shall be four years; however, such trustee shall continue to function as a trustee after his term has expired until his successor shall have been elected and qualified.

Vacancies; Compensation (Section 59-117-3O, as amended)

In case a vacancy should occur in the Board among the members elected by the General Assembly, the Governor may fill it by appointment until the next session of the General Assembly. Any vacancy occurring in the office of the member appointed by the Governor shall be filled for the remainder of the unexpired term by appointment in the same manner of the original appointment. Each member of the Board shall draw such per diem and expenses as from time to time may be allowed boards, commissions and committees.

Duties of the Board: Powers

The Board of Trustees of the University of South Carolina is and is hereby constituted a body corporate and politic, in deed and in law under the name of the University of South Carolina. Such corporation has the following powers:

- (1) Elect a President of the University to serve at the will of the Board or for such term and compensation as the Board may prescribe;
- (2) Elect a Secretary of the University and of the Board to serve at the will of the Board or for such term and compensation as the Board may prescribe;
- (3) Elect a Treasurer of the University to serve at the will of the Board or for such term and compensation as the Board may prescribe;
- (4) Establish policies and goals of the University and direct the President to implement and achieve those policies and goals;
- (5) Review and approve academic plans, including new programs and new units, and major modifications or deletions in existing programs and units;
- (6) Approves, upon recommendation of faculties and the President, the earned degrees awarded;
- (7) Designate academic chairs and professorships, award honorary degrees and name buildings or major portions thereof, other structures, streets, and geographic areas;
- (8) Levy fines and charges and examine from time to time admissions policies as established by the faculties and the administration;
- (9) Review and approve requests for appropriations;
- (10) Review and approve annual budget and budget charges;
- (11) Approve all gifts where restrictions are indicated, designate the use of unrestricted gifts, and approve and designate the use of testamentary gifts;
- (12) Approve all loans, borrowing and issuance of bonds;
- (13) Approve or authorize the Executive Committee to approve appointments and salaries or principal officials which shall be defined as those persons elected by the Board as provided in Paragraphs 1, 2, and 3 above, as well as University officers having the rank of Vice president or Chancellor or equivalent rank;
- (14) Approve compensation policy for faculty and staff, honorary faculty titles, and extension of service;
- (15) Approve all long-range development plans for the University including major capital projects;
- (16) Approve or delegate authority for approval of all major contractual relationships and other major legal obligations executed in the name of the University;
- (17) Approve or authorize the Executive Committee to approve all sales or purchases of

real property, and ensure that all properties of the University are preserved and maintained;

- (18) Establish investment policies and procedures which will provide for the prudent investment and preservation of funds entrusted to the University;
- (19) Establish auditing policies and standards and appoint independent auditors; and
- (20) Establish and maintain within the administrative procedures of the University the policy and practice that the administrators of the University covered under Paragraphs 1, 2, and 3 above shall serve in such capacities at the will and pleasure of the Board; that the administrators of the University having the rank of Vice President, Chancellor, University Campus Dean, Academic Dean, Director or the equivalent thereof, and any other person reporting directly to the President, shall serve in such capacities at the will and pleasure of the President. It is understood that the employment of such administrators shall be on customary terms of University employment and there shall be no separate employment agreements; provided, however, it is further understood that no Athletic Department administrators will be given employment agreements in excess of one year without prior approval of two-thirds vote of the entire Board of Trustees (14 or more.)

The powers of the Board are prescribed by the provisions of Section 59-117-40, et seq., Code of Laws of South Carolina (1976), as amended.

The Executive Committee

The Executive Committee shall consist of the permanent Chair of the Board of Trustees, the Vice Chair of the Board of Trustees, the Chair Emeritus of the Board of Trustees, if applicable, and not more than three other elected members of the Board who shall be elected as hereinabove provided.

The Executive Committee, during the interim between meetings of the Board, shall have all the powers of the Board of Trustees not inconsistent with the established policies of the Board or with any action theretofore taken by the Board provided, however, that the Executive Committee shall not preempt the role of a standing committee as stated in Section 1 of Article VI except in those emergency circumstances which do not permit the handling of a matter in the normally prescribed manner. The Executive Committee shall function as a continuous planning and financial committee of the Board, exercising general supervision of the finances of the University; shall review in advance the proposed budget for the succeeding year; and shall review in advance the proposed application for appropriations for the succeeding fiscal year in the light of overall University plans. It shall make reports to the Board at each meeting on all such matters occurring since the previous meeting.

The Executive Committee shall provide for an appropriate fidelity surety bond or bonds covering all officers, agents, and employees of the University who at any time shall hold any property or funds of the University and for appropriate officers' and directors' insurance to insure the officers and members of the Board against liability arising by virtue of the acts of such officers or Board members in their official capacity with the University.

The Academic Affairs and Faculty Liaison Committee

The Academic Affairs and Faculty Liaison Committee shall consist of not less than three nor more than eight members of the Board appointed by the Executive Committee following the October Board meeting of each even year. The members so appointed shall elect a Chair of the Committee at the first scheduled meeting following such appointment. The term of the office of Committee Chair shall be for two years from the date of election until the appointment of Committees by the Executive Committee in the next even year. The Committee Chair shall be eligible for reelection for not more than one additional consecutive term. In the event a vacancy occurs in the office of Committee Chair, the remaining members of the Committee shall elect a new Chair to complete the term of the vacating Chair at the first meeting of the Committee following the occurrence of such vacancy. Such service in completing a term shall not limit the Board Member so elected from serving two additional consecutive terms as Chair provided above.

The Committee shall be kept informed of all academic programs; of the conditions affecting recruitment and retention of faculty members; of the adequacy of instructional facilities; of the proposal of new degrees, major programs, or institutes; of the proposal to eliminate existing degrees, major programs, and institutes; and of such other matters relating to the educational policies and programs as may be brought before it or referred to it by the Board. It shall consider the development of new programs, degrees, institutes, and research for submission to the State Commission on Higher Education. It shall consider and make recommendations to the Board with respect to the naming of any academic centers, institutes, or other such programs. It shall report on all such matters to the Board from time to time with such recommendations as it may consider relevant to the achievement of the University's goal of academic excellence. The Committee shall consider recommendations for tenure and promotion; honorary faculty titles; extensions of service; and appointments with tenure.

The Committee shall meet from time to time with the faculty-designated representatives, who shall have been chosen by the University faculty, on matters of concern to the faculty, and to the Board, and shall keep the Board informed of all such matters. The Committee shall review from time to time all recommendations made by the President or the Faculty Committee on Honorary Degrees and shall recommend therefrom to the Board appropriate recipients of such degrees. Approval by a three-fourths vote of the members present at the Board meeting next following the meeting at which the recommendation is made shall be required to approve the granting of such honorary degrees.

The Committee shall likewise serve as the final forum of appeal in all faculty matters pertinent to (a) dismissal of tenured faculty members; (b) dismissal of faculty prior to the conclusion of a contract term; discrimination in compensation, promotion and work assignments; (d) non-reappointment; (e) denial of tenure, or (f) denial of promotion, all as provided in the Academic Grievance Procedures policies of the University System. The Committee shall also serve as the final forum of appeal in all student academic matters.

Spartanburg County Commission for Higher Education

Composition. The Spartanburg County Commission for Higher Education is composed of fifteen members appointed by the Governor on the recommendation of a majority of the Spartanburg County Legislative Delegation. The Executive Secretary of the Spartanburg County Board of Education shall be an ex officio member of the Commission.

Terms of Members. The Commission shall be appointed for terms of four years each and shall serve until their successors shall have been appointed and qualified.

Powers and Duties. The Commission shall be empowered to enter into contracts, make binding agreements, negotiate with educators and educational institutions and, generally, to take such actions in its name as are necessary to secure for Spartanburg, Greenville and Cherokee Counties and adjacent areas the educational facilities described in the relevant acts; provided, that the County of Spartanburg shall not be bound nor held liable for any acts of omission or commission of the Commissioners, nor by the provision of any contract or agreement, expressed or implied, except upon written approval and consent of a majority of the members of the Spartanburg County Legislative Delegation.

The Commission may solicit funds and accept donations from various sources which it may expend in carrying out its objective.

Educational Advisory Committee. The Commission is authorized to appoint from Spartanburg County, and from adjacent areas as deemed appropriate, an Education Advisory Committee consisting of not less than ten nor more than fifteen members which shall meet and consult with the Commission from time to time as may be required.

Compensation. All members of the Commission and the Educational Advisory Committee shall serve without compensation or fees.

University Officers

President. The President of the university is the chief executive officer of the University System and shall exercise such executive powers as necessary for its appropriate governance under the authority of the Board. The President shall be the primary spokesperson for the University to the alumni of the institution, the news media, the educational world, and the general public and shall administer University policies as promulgated by the Board, speak for the University as its official head, and coordinate all activities of each campus of the institution directly or through designated representatives. The President shall report directly to the Board of the current affairs of all components of the University System and shall discuss with the Board basic issues, new or alternative directions, and recommendations on new policies. The President shall direct, coordinate and implement the planning, development, and appraisal of all activities of the University System and shall be directly responsible to the Board for its operation.

The President is assisted in directing the affairs of the university by an Executive Assistant and the Vice President of the University.

Vice President for Academic Affairs and Provost. The Vice President for Academic Affairs and Provost is the second ranking officer of the University and is empowered to act for the President in the absence of the Chief Executive Officer. The Provost has the responsibility for the overall supervision of academic affairs of the University. This officer is appointed by the President and confirmed by the Board of Trustees and is responsible for curriculum development and academic standards in the schools and colleges of the Columbia Campus and represents all campuses of the University System on academic issues to the Commission on Higher Education. The Provost also supervises such academic support services as the University Libraries, Records and Registration, and the University Press and when requested to do so by the President, represent the President at such times and places as may be appropriate. Serving under the Vice President for Academic Affairs and Provost are the Vice Provost and Executive Dean for Regional Campuses and Continuing Education, the Vice Provost and Dean for Libraries and Information Systems, the Vice Provost for Research, the academic deans and department chairs.

Secretary of the University and the Board of Trustees. The Secretary of the University and of the Board of Trustees shall be elected by the Board to serve at the will of the Board and shall be one of the principal officers of the University System. The Secretary of the Board shall serve as the official medium of communication within the University System between the Board of Trustees, on the one hand, and the University faculty, administrative officers, individual members of the staff, student organizations and students, on the other. The sole exception to this rule of procedure shall be communications made directly to the Board or its members by the President. The Secretary shall perform other duties as may be assigned to him to the Board or by the President.

Treasurer of the University. The Treasurer shall be elected by the Board. Under the supervision of the President, this officer shall be responsible for all accounting functions and for all funds of the University System and shall furnish to the Board or to the President at any time requested a financial statement of the University and shall at least once during each fiscal year supply all members of the Board with a combined revenue and expenditure report of the University. The Treasurer shall also perform other duties as may be assigned by the Board or by the President.

Vice Presidents. The Vice President for Business and Finance supervises the overall functions of Budgets and Systems, Business Affairs, Housing, Auxiliary Services, Controller, Contract and Grant Accounting, Payroll, Purchasing and Central Stores, and Inventory Control.

The Vice President for Human Resources has the primary responsibility for the development and direction of comprehensive personnel programs for the University System.

The Vice President for Student Affairs and Dean of Students provides leadership and supervision for the staff and programs of the Division of Student Affairs, and serves as a liaison between students and the University administration.

The Vice President for University Advancement is responsible for University development and alumni relations.

Chancellor. The Chancellor for USCS is the chief administrative officer of the campus. The Chancellor is responsible for the operation and development of the campus and the implementation of applicable university policies. The Chancellor reports to the President.

Vice Chancellors.

Vice Chancellor for Academic Affairs is appointed by the Chancellor and is responsible for curricula planning and development of the total educational program, responsible for faculty, library, and other academic services, including extended learning and continuing education. The Vice Chancellor for Academic Affairs represents the Chancellor when appropriate.

Associate Chancellors

Associate Chancellor for Business Affairs is appointed by the Chancellor and is responsible for all fiscal affairs of the institution including budget and fund accounting, accounts payable, accounts receivable, space and facility management, insurance, purchasing, inventory control, and campus supply.

Associate Chancellor for Development is appointed by the Chancellor and is responsible overseeing and coordinating fund raising and alumni development as well as serving as Executive Director for Carolina Piedmont Foundation.

Associate Chancellor for Student Affairs is appointed by the Chancellor and is responsible for the Counseling and Career Development Center, Minority Student Affairs, Residential Life, Health/Wellness, Student Activities, Intramurals, and Campus Life Center.

Associate Vice Chancellor for Academic Affairs is appointed by the Vice Chancellor for Academic Affairs and plans and coordinates the curriculum relationships between USCS and institutions and students not served by the Spartanburg campus in concert with the faculty and administration.

Academic Deans. Deans are appointed by the Chancellor upon recommendation from the Vice Chancellor for Academic Affairs following the prescribed search procedures. Deans exercise direct supervision of the faculty and the academic programs in accord with the general instructions of the Vice Chancellor for Academic Affairs. The deans nominate personnel to be appointed as full-time and part-time faculty by the Chancellor. Deans have the authority to initiate curricula changes, scheduling, and curricula evaluation for their respective schools. They are responsible for faculty development and evaluation, with the approval of the Vice Chancellor for Academic Affairs.

Deans will consult their faculty on significant matters concerning academic personnel and curricula.

Division Chairs. Division Chairs report to the dean of their school. When delegated by the dean, they represent the dean of their school. They assist in the interpretation and the implementation of university policies and school, division, or program policies. They assist the dean in the performance of the duties of deans as outlined above.

Director of Library Services. The Director of Library Services is appointed by the Vice Chancellor for Academic Affairs and serves as the chief librarian of the university and as a member of the Information Technology Team.

Director of Information Services. The Director of Information Systems is appointed by the Chancellor and serves as the chief information systems officer of the University with oversight responsibility for academic and administrative computing, media services and telecommunications.

FACULTY POWERS, ORGANIZATION, AND TEACHING RESPONSIBILITIES

Powers and Organization

Faculty Powers

The Board of Trustees is the governing body of the university and the powers of the President and the faculty are delegated by the Board in accord with its policies. In all matters pertaining to the standards of admission, registration, requirements for the granting of degrees earned in course, the curricula, instruction, research, extracurricular activities, discipline of students, the educational policies and standards of the university, and all other matters pertaining to the conduct of faculty affairs, including the discipline of its own members, the faculty has legislative powers subject to the review of the Chancellor, the President, and the Board of Trustees.

As such occasions arise, the faculty have the opportunity to consider the appointment of all principal officers and, through an appropriate committee, communicate their views to the Chancellor. The faculty are also invited to communicate, through an appropriate committee, their views concerning the selection of the President of the university and the Chancellor for USCS.

Faculty Organization

Membership. The university faculty consists of the President, the Chancellor, the Vice Chancellor for Academic Affairs, the associate chancellors, the assistant vice chancellors, the Director of the Library, all deans, division chairs, professors, associate professors, assistant professors, all full-time instructors and full-time lecturers in baccalaureate and associate degree programs, visiting faculty members, emeriti professors, librarians, and such other persons as the faculty sees fit to elect.

Voting. The following members of the faculty have the right to present motions and to vote: the President, the Chancellor, the Vice Chancellor for Academic Affairs, the associate chancellors, the assistant vice chancellors, academic deans, chairs of academic divisions, librarians, professors, associate professors, assistant professors, instructors, and any administrative official who has tenure as a faculty member. Voting members may exercise their right to vote during absences from the university that are temporary in nature such as sabbaticals or leaves of absence.

Voting Units. Academic divisions that are recognized by the faculty senate are designated as separate voting units. The Library, the Schools of Business Administration, Education and Nursing are considered separate voting units. In addition, the four divisions of the College of Arts and Sciences, i.e., Fine Arts, Languages and Literature;

Natural Sciences and Engineering; Mathematics and Computer Science; and Social and Behavioral Sciences, are designated as separate voting units.

Faculty whose course loads are divided evenly across disciplines found in more than one voting unit are eligible to vote in only one of the two units. The unit that the faculty member votes in is determined by the faculty member's designation on the Payroll Budget and Personnel 1 form (PBP1) filed in Human Resources. If a faculty member wishes to change voting units, the request is communicated in writing to the administrative heads of both units (deans and/or division chairs). Membership in the new voting unit requires all of the following:

- (1) agreement by a majority of faculty in that voting unit,
- (2) consent by the deans involved in the change, and
- (3) approval by the Vice Chancellor for Academic Affairs and Chancellor.

If the request is approved, the Vice Chancellor for Academic Affairs issues a letter of change in voting unit and notifies the Office of Human Resources, the deans and/or division chairs, and the Faculty Chair.

Membership in the voting unit determines the faculty member's rights for voting, committee assignment, and any other kind of participation in decisions made within the academic disciplines taught by the faculty member. Courses taught in an academic discipline from a different voting unit are not construed as automatically conferring the right to participate in decisions made within that discipline.

Officers. The Faculty Chair is the presiding officer of the faculty and the Faculty Senate. The Chair prepares and circulates the agenda for meetings at least five days prior to the meeting date. The Faculty Chair acts as University Marshal. As University Marshal, the Faculty Chair is responsible for ceremonial programs of USCS. The Faculty Chair-elect serves as presiding officer in the absence of the Faculty Chair. The Faculty Recording Secretary records and distributes to the members of the faculty written minutes of the general faculty and Faculty Senate meetings, and annually compiles and publishes a summary of faculty actions.

The Faculty Chair, Faculty Chair-elect, and Recording Secretary are elected by the faculty. Faculty officers are not to be counted as their school's or division's representatives to the Faculty Senate.

General Meetings. General faculty meetings are held in September and April. The President or the Chancellor may call a special meeting of the faculty. A special meeting of the faculty may also be called by 25 percent of the voting members of the faculty who submit a written request to this effect to the Faculty Chair. Upon receipt of this request, the Faculty Chair sets a date for a meeting to be held within seven days.

The Faculty Senate represents the faculty and serves as a legislative body. It hears reports from various committees of the university.

Conduct of Business. The faculty follow Robert's Rules of Order (Revised) unless otherwise stipulated. The Faculty Chair-elect serves as parliamentarian. Voting is by voice or show of hands unless a written ballot is desired. All elections are conducted by secret ballot.

An agenda is prepared prior to the general faculty meeting and faculty senate meeting by the Faculty Chair. Faculty members may contribute to the agenda by submitting items to the Faculty Chair. This agenda may include (1) forthcoming elections to committees, when pertinent, (2) statements from the Chancellor on major policy, (3) reports of faculty and appointed committees, (4) old business, (5) new business, including matters raised from the floor.

Faculty Committees. The faculty establishes such standing or special committees as it deems necessary. The members of such committees are elected by the faculty or appointed by the Chancellor. All student members of standing faculty committees are voting members. There is no proxy in case of absence.

Members may not succeed themselves on the same committee, except as otherwise noted. Faculty elected to fill unexpired terms on committees are eligible for re-election. Faculty members may not serve simultaneously on more than two standing faculty committees.

Each standing faculty committee meets at least four times a year. Each standing faculty committee is an agency of the faculty and makes written reports containing a summary of its activities and actions to the faculty at the April faculty meeting of the academic year. These reports become a part of the minutes.

Faculty Manual

The USCS Faculty Manual sets forth the policies and procedures of the University with regard to the faculty and its rights and responsibilities. Section 1, Boards, Commissions, and University Officers; and Section 3, Employment, Benefits, and Retirement are for the information of the faculty. Changes to other sections of the Faculty Manual, with the exception of matters pertaining to promotion and tenure, may be made by the Faculty Senate or the general faculty by a simple majority of those voting with the approval of the Chancellor of USCS, the President, and Board of Trustees of the University of South Carolina. Changes to the promotion and tenure regulations require a vote of two-thirds of those voting in a general faculty meeting. Proposed changes to the

Faculty Manual must be provided to the faculty in writing at least one month prior to the meeting at which these changes will be considered.

4

Faculty Committee Structure

Terms

Terms of all appointed and elected committee members are for three years. Faculty standing committees are organized in April. New committee members and chairs assume duties after the spring commencement.

Ex officio Members

Ex officio members are not considered to be members of a committee when computing their maximum of two committee assignments. The role of ex officio members of a committee is to serve in an advisory capacity. Ex officio members should make available to the committee their knowledge but they are not empowered to vote, except as noted, in the decisions of the committee. They should not attempt to exercise control in the decisions of the committee. An ex officio member of a committee cannot be elected chair of a committee. The Chancellor is an ex officio member of all committees but is not listed as such separately.

Librarians and Committee Service

The library faculty are not required to serve on the Executive Academic Affairs Committee (EAAC). Librarians retain representation on the Promotion and Tenure Committee and would be able to serve on the EAAC and AFPC, if elected.

Chair

Each committee elects its own chair annually. The chair votes only in case of a tie. A faculty member may chair only one committee at a time.

Chair-elect

Each committee chooses a chair-elect who normally becomes chair after one year. The chair-elect presides in the absence of the chair.

Vacancies

Vacancies in committee membership caused by unexpired terms are filled by appointment or election in accordance with the means by which the position originally was filled. Vacancies created by sabbaticals or other unforeseen contingencies shall be filled until the next election by the voting unit of the faculty member if the position was an elected one or by appointment of the Chancellor if the position is an appointed one.

Appointments

All appointments to committees are made by the Chancellor.

Responsibility

Committees serve in an advisory capacity to the faculty and/or the administration. Committee chairs report all committee actions and recommendations in writing to the Faculty Chair.

Elections

Faculty standing committees are organized in April. New committee members and chairs assume duties after the spring commencement. All elections are decided by majority vote of the faculty after due notice of the election has been given.

Jurisdiction and Membership

It is understood that the duties of committees and their constituent personnel are drawn from and limited to USCS except where otherwise noted.

Implementation

New faculty committees may be created as deemed necessary and must be approved by the Faculty Senate. Changes in continuing committees are made in the month in which the terms of their members are scheduled to begin. (In order to fill committees in the first year, it may be necessary to appoint and elect some members for one-year or two-year terms only).

Faculty Standing Committees

Academic and Facilities Planning Committee

The Academic and Facilities Planning Committee consists of one faculty member elected from each voting unit and two student representatives appointed annually by the Chancellor from nominations submitted by the Student Government Association. The Vice Chancellor for Academic Affairs and the Registrar are ex officio members.

The committee assists in establishing priorities for university academic programs, reviewing and/or initiating plans for new concepts and programs, and the cancellation of programs. The committee advises the administration on facilities utilization, building and grounds, and the planning of new facilities in accord with the academic programs of the university.

Admissions and Petitions Committee

The Admissions and Petitions Committee consists of six faculty members elected at-large. The Director of Admissions, the Registrar, and the Vice Chancellor for Academic Affairs are ex officio members.

The committee considers admission and continuation policies within university guidelines and recommends to the Faculty Senate and the Chancellor any modifications to these policies where advisable. The committee may suspend normal entrance and continuation requirements for individual students, as permitted by university guidelines. The committee may establish special procedures for reviewing applicants during summer terms.

Assessment Committee

The Assessment Committee consists of one faculty member elected from each voting unit and two student representatives appointed annually by the Chancellor from nominations submitted by the Student Government Association. The Vice Chancellor for Academic Affairs, the Director of Continuous Improvement, and the Associate Chancellor for Student Affairs serve as ex-officio members.

The committee recommends to the Faculty Senate and to the administration the means of assessing institutional effectiveness, the procedures for assessment, and the disposition of all information gained through the assessment program. The committee encourages appropriate individuals to comment on and to interpret the data, statistics, and results of all assessment programs.

Athletic Advisory Committee

The Athletic Advisory Committee consists of six faculty members elected at-large and two student members appointed annually by the Chancellor from nominations submitted by the Student Government Association. The Athletic Director, the Faculty Athletic Representative, and the Vice Chancellor for Academic Affairs are ex officio members. The Faculty Athletic Representative is a voting ex-officio member.

The committee rules on all questions of student eligibility. It develops a philosophy regarding the athletic program and the scheduling of athletic events. The committee forwards recommendations to the Faculty Senate for consideration on conference affiliations, the addition or deletion of sports, or any other major changes in athletic policy.

The committee sends to the Nominating Committee nominations for the Faculty Athletic Representative from members of the Athletic Advisory Committee or from faculty who are interested in athletics (coaches excluded). The term is for three years. The term is

renewable. The Faculty Athletic Representative is nominated and elected according to the normal committee assignment procedure.

7

Executive and Unit Academic Affairs Committees

School and Divisional Committees. Each school or college division has an Academic Affairs Committee. Membership in these school or divisional committees is constituted as follows:

At least one individual is elected to represent each academic discipline within the school or division that has three or more faculty within that discipline.

At least one individual is elected to represent all other academic disciplines having fewer than three faculty members in that school or division.

Additional members are elected at-large to make a minimum committee membership of three (provided that the areas of concentration and/or degree programs are equitably represented); in the case of single discipline schools such as Education, Business Administration and Economics, and Nursing, a committee with a minimum of three elected members are chosen provided that the areas of concentration and/or degree programs are represented equitably.

Members of the school or divisional committees serve for a term of three years. Normally these terms are staggered in order to provide for continuity.

Each school or division elects a chair from the membership of that committee for a term of three years. The responsibilities of these chairs are to:

- (1) call and conduct meetings as needed;
- (2) receive, process and disseminate all proposals for curriculum change within the school or division;
- (3) record and report to the executive committee chair all academic matters requiring faculty action;
- (4) represent or designate one member to represent each school or divisional committee on the Executive Academic Affairs Committee.

The school or divisional committee is primarily responsible for reviewing and evaluating all proposals for curriculum changes initiated by members of that school or division. These proposals are then forwarded to the colleges or school deans for their recommendations. Proposals not signed after ten full working days by the school or division academic affairs committee chair, the division chair, or the colleges or school dean may be forwarded without signatures (on the initiative of those making the proposal) to the next level of review. Proposals are then sent to the Executive Academic Affairs Executive Committee for approval. However, the executive committee cannot revise or

alter recommended proposals without the consultation of the affected school's or division's representative.

8

Interdisciplinary Studies Academic Affairs Committee. The committee consists of four elected members. One member is elected from each division of the College of Arts and Sciences and one from the School of Business Administration and Economics. Terms are for three years. When necessary, members are elected to the committee in the spring of each academic year at the divisional and school meetings. In the case of vacancies, the division or school elects a replacement to fill out the unexpired portion of the term. The committee elects its own chair from among the representatives; that person serves as an ex officio member to the Executive Academic Affairs Committee.

This committee has all the authority as defined in the Faculty Manual of any school or division academic affairs committee with respect to the Interdisciplinary Studies Program (IDS). In addition, the IDS Academic Affairs Committee serves in an advisory capacity to make recommendations to the IDS director, the dean of the college, the Executive Academic Affairs Committee, and the Faculty Senate on policy changes. These recommendations are based on information concerning, but not limited to, admissions, requests for waivers, student demographics, and the impact of university-wide curriculum changes such as the general education requirements. This information is reported to the committee once a semester by the director.

Executive Academic Affairs Committee. The Executive Academic Affairs Committee is composed of one designated representative from each school/division. Ex officio members are the Vice Chancellor for Academic Affairs and the Registrar.

It is the duty of the Executive Academic Affairs Committee to consider and recommend to the Faculty Senate action on all requests made by the school or division committees for addition or deletion of undergraduate courses. The committee reviews existing and proposed curricula with special attention to duplication or obsolescence of undergraduate courses. It considers matters concerning academic requirements and standards, and reviews current policies and practices for the purpose of making recommendations for changes therein to the Faculty Senate. The committee also considers petitions of students who seek relief from university scholastic regulations or who feel an injustice has been done them in their academic work.

The general education program of USCS is under the supervision of the College of Arts and Sciences. The administration of the program is the responsibility of the Dean of the College of Arts and Sciences subject to normal curriculum and program development or deletion procedures.

The Executive Academic Affairs Committee is responsible for the management and assessment of the general education program. The committee is responsible for reviewing all courses suggested for inclusion in the general education curriculum. The committee determines if the courses included in the general education curriculum contribute to the goals of general education as they are stated in the catalog under Academic Programs. It

may also review the general education curriculum to determine if the curriculum meets the objectives established by the faculty of the university. In addition, the committee makes recommendations to the Faculty Senate on the consequences of any change in general education course requirements.

9

Faculty Advisory Committee

The Faculty Advisory Committee consists of the faculty chair, the chair-elect, the recording secretary, the chairs of the Executive Academic Affairs Committee and the Promotion and Tenure Committee and one faculty senate member elected from each voting unit not represented by the aforementioned positions. The elected members serve for terms of one year. In addition, the previous year's Faculty Chair serves as an ex officio member with voting privileges. The Vice Chancellor for Academic Affairs serves as an ex officio member.

The committee assists in establishing the agenda for faculty senate meetings and serves as an advisory committee to members of the administration.

The committee presents to the faculty a slate of nominees for regularly elected positions on standing committees, and presents to the Chancellor a similar slate of nominees for filling vacancies to the appointed positions on standing committees. The committee nominates a faculty member to represent USCS on the Arts Partnership.

Faculty Welfare Committee

The Faculty Welfare Committee consists of one faculty member elected by each voting unit. The committee is a medium through which faculty members may express their thoughts relating to matters of faculty welfare. The committee communicates these concerns to the appropriate administrative officers or to the Faculty Senate.

In general, areas of committee concern apply to the faculty as a whole rather than to individuals, and include, but are not restricted to: salaries, benefits, and rank; policies regarding teaching load and assignments; policies regarding university programs and activities affecting faculty welfare; policies regarding conduct and professional ethics; professional relations among faculty, and between faculty and the administration; faculty involvement in campus decision-making and governance; general faculty morale; equal opportunity and affirmative action.

Before the end of the fall semester, the committee distributes to the faculty (1) a summary of administrative annual review rankings of faculty for the previous year by academic unit, (2) a summary of all faculty salaries by salary interval, including a breakdown of salaries by gender and race, as permitted by law and (3) numerical results of faculty evaluations of administrators and academic/administrative support offices and departments.

Complaints about matters relating to possible violations of the Code of Ethics as stated in the Promotion and Tenure Guidelines should be reported to the chair of the Faculty Welfare Committee who will be responsible for reporting the matter to the chair or chair-elect of the Promotion and Tenure Committee for investigation. Violations of confidence of Peer Review committees also may be reported to the Faculty Welfare Committee.

10

Faculty Grievance Committee

The membership of the committee consists of tenured faculty members (not having faculty administrative or supervisory responsibilities) one elected from the library faculty and two elected from each of the remaining voting units. Terms are for three years (refer to Faculty Grievance Procedures, section 7).

Graduate Committee

The USCS Graduate Committee is composed of one representative elected by each of the academic divisions of the College of Arts and Sciences and each of the academic divisions of the Schools of Education, Nursing, and Business Administration and Economics, as follows:

College of Arts and Sciences

Division of Fine Arts, Languages, and Literature - 1 representative
Division of Mathematics and Computer Science - 1 representative
Division of Natural Sciences and Engineering - 1 representative
Division of Social and Behavioral Sciences - 1 representative

School of Business Administration and Economics

Division of Management and Accounting - 1 representative
Division of Marketing and Economics/Finance - 1 representative

School of Education

Division of Early Childhood, Elementary Education, and Graduate Programs - 1 representative
Division of Secondary Education, Educational Foundations, and Physical Education - 1 representative

School of Nursing

Baccalaureate Nursing Program - 1 representative
Associate in Science in Technical Nursing - 1 representative

In addition, two graduate students who are currently enrolled in or have graduated from the USCS graduate program will be appointed to the Committee by the Chancellor upon the recommendation of the Assistant Vice Chancellor for Graduate Programs and Extended Learning. Only faculty who meet the minimum qualifications for graduate faculty at USCS are eligible for membership on the Graduate Committee. The Assistant Vice Chancellor for Academic Affairs and the Director of the Library are ex officio members.

It is the duty of the USCS Graduate Committee to consider and recommend to the Faculty Senate action on all changes in graduate courses or programs; requests for new graduate courses or programs; and graduate standards, requirements, policies, and procedures. The Committee also considers grade change requests from graduate faculty and appeals from graduate students who seek relief from university academic regulations or who feel an injustice has been done them in their academic work. The Committee will perform other duties as assigned by the Vice Chancellor for Academic Affairs or by the faculty.

11

Library Committee

The Library Committee consists of one faculty member elected from each school or division, and two student members appointed annually by the Chancellor from nominations submitted by the Student Government Association. The Vice Chancellor for Academic Affairs and the Director of the Library are ex officio members.

The Library Committee is charged with the responsibility of monitoring the success with which the services and resources of the library meet the needs of the university and the community. The committee serves as the primary channel of communication between the library and the faculty. In order to fulfill that responsibility, any library policy which affects library patrons may be reviewed at the discretion of the committee. In cases where a faculty member and the Director of the Library disagree on whether or not a particular work should be acquired for the collection, the Library Committee will resolve the conflict.

Promotion and Tenure Committee

Membership on the Promotion and Tenure Committee is described in this Manual in the section "Promotion and Tenure." The committee recommends to the full faculty guidelines for criteria and procedures for the operation of promotion and tenure policies. It reviews and makes recommendations to the Chancellor on all promotion and tenure cases. Promotion and tenure criteria are described in this Manual in the section "Promotion and Tenure."

Sabbatical Review Committee

The Sabbatical Review Committee consists of one member elected by each voting unit. Faculty submitting proposals for sabbatical are not eligible to serve. After consultation with the Vice Chancellor for Academic Affairs, the Committee establishes deadlines and calls for proposals. The Committee reviews and ranks the proposals according to the established criteria and then forwards all proposals with ranks to the Vice Chancellor for Academic Affairs. The Committee receives, reviews, and forwards final sabbatical reports to the Vice Chancellor for Academic Affairs.

Student Affairs Committee

The Student Affairs Committee consists of six faculty members elected at-large and three student members. Faculty members are elected for a three year term, with at least two new members being elected each year. Student members are appointed annually by the Chancellor from among nominations submitted by the Student Government Association. Ex officio members are the President of the Student Government Association and the Associate Chancellor for Student Affairs, and the Vice Chancellor for Academic Affairs.

The committee makes recommendations to the Faculty Senate regarding the Academic Honor Code and the Campus Discipline Code.

The committee considers policies on registration and orientation and makes recommendations on these matters to the Associate Chancellor for Student Affairs.

The committee recommends to the faculty policies concerning extra curricular student activities.

The committee makes recommendations to the Chancellor regarding expenditures of student activity fees based on recommended budgets approved by the Student Government Association.

In addition, the committee reviews proposals for student programs and it awards grants to those that satisfy the committee's criteria.

12

Student Financial Aid Committee

The Student Financial Aid Committee consists of one faculty member elected by each School and each Division of the College of Arts and Sciences, as well as three student representatives appointed annually by the Chancellor from nominations submitted by the Student Government Association. The Director of Student Financial Aid and the Vice Chancellor for Academic Affairs are ex officio members.

A subcommittee composed of the faculty members of the committee awards the scholarships and reviews and approves the allocation of funds awarded by the Director of Financial Aid. The Director of Student Financial Aid informs the subcommittee (prior to the awarding date) of the scholarships and other financial aids available.

Teaching Improvement Committee

The Teaching Improvement Committee consists of one faculty member elected from each voting unit. The Vice Chancellor for Academic Affairs and the Associate Chancellor for Student Affairs/Dean of Students serve as ex officio members.

The committee recommends the disbursement of the Teaching and Productive Scholarship (TAPS) fund which is allocated by the Vice Chancellor for faculty development according to criteria developed by the committee. The committee arranges for seminars, workshops, selection of professors for honors and other activities in support of faculty development.

USCS Board of Student Media

The USCS Board of Student Media consists of three faculty members elected at-large and four student members appointed annually by the Chancellor from nominations submitted by the Student Government Association. The Associate Chancellor for Student Affairs and the advisors of The Carolinian, Prickly Pear, and Powderhorn, are ex-officio members. Three student editors also serve as ex-officio members. Student members may not serve as Publications Board Chair. The board nominates student editors for all student publications. Editorial appointments are for one year. It recommends the termination of an appointment should editors fail to perform their duties in a suitable manner. It makes recommendations to the Student Government Association and the Chancellor concerning budgets for USCS publications, including salaries to be paid editors. It develops and recommends publications policies to the Chancellor publication policies. It selects faculty advisors for all publications. The board encourages the development of publications which enhance the USCS educational and extracurricular programs.

13

Special Committees

This section includes listings and descriptions of university committees established by the Faculty Senate that function outside the governance of the Faculty Senate. The Faculty Chair is authorized to appoint ad hoc and special committees.

The **Ethics Committee** is responsible for reviewing all non-funded research projects involving human subjects prior to conducting the research. The Director of Sponsored Projects serves as an ex officio member.

The **USC Institutional Review Board for the Use of Human Subjects**, a USC system faculty committee coordinated by staff in the Office of Sponsored Programs and Research on the Columbia campus, is responsible for reviewing all research grant proposals involving human subjects submitted for funding.

The committees seek to insure that researchers follow the Department of Health and Human Services regulations protecting human subjects involved in the conduct of research.

Peer Review Committee, as part of a comprehensive system of faculty evaluation, the university has established annual review committees charged with the responsibility of conducting peer evaluations.

Peer Review Committee members make explicit recommendations to the Promotion and Tenure Committee on candidates seeking promotion and/or tenure. The Peer Review Committees base their recommendations for promotion and/or tenure upon the criteria found in the section "Promotion and Tenure."

Each school as well as each division of the College of Arts and Sciences has a Peer Review Committee composed of five elected faculty members from the respective academic unit.

A description of policies and procedures for annual review as well as for peer review is found in this manual in the section on "Peer Review Procedures."

14

Faculty Athletic Representative is nominated and elected by the faculty according to the normal committee assignment procedure. The term is for three years and may be renewed. The Athletic Advisory Committee submits nominations for the position of Faculty Athletic Representative from among the members of the committee or from faculty who are interested in athletics (coaches excluded.) The faculty athletic representative should attend any campus meetings, including Faculty Senate meetings, during which athletics issues or activities are being discussed.

The duties of the Faculty Athletic Representative are:

1. Review the records of each student athlete each semester including summer. This must involve reviewing the Satisfactory Progress Report information collected by the Registrar and acting on any deficiencies encountered.
2. Provide oversight for academic advisors of student athletes. This includes providing advising information for both the student-athlete and advisor prior to advising.
3. Advise the University Admissions Committee regarding prospective student-athletes whose academic credentials place them outside the regular admission profile, i.e., prospective student-athletes who are below the institutional and/or NCAA admissions standards.
4. Participate in the exit interview of student-athletes. This would include gathering information related to academic experiences while participating in athletics.

5. Provide information to coaches, student-athletes, and the Athletic Advisory Committee at the beginning of each academic year related to NCAA and USCS academic regulations. Describe the importance of academics to the student-athletes and what occurs when academic regulations are violated.
6. Investigate instances of student-athlete misconduct, both on and off the playing fields. Ensure that student-athletes are treated fairly in these investigations. Attend any Student Government courts, hearings, etc., with the student-athlete.
7. Oversee USCS' compliance with NCAA and Peach Belt Conference rules and regulations. This duty requires signing forms that are sent to the conference and retained in the Athletic Office.
8. Review the results of periodic audits of athletics department funds. Provide a report to the Faculty Senate if any significant discrepancies are encountered.
9. Administer the NCAA Coaches Certification test, as required by the Peach Belt Conference Commissioner.
10. Provide information and insight to the Chancellor relating to institutional voting decisions at the NCAA conventions.
11. Serve on all committees relating to hiring of athletics department administrators at the level of head coach or above.
12. Ensure the enforcement of all institutional academic and student activities rules and regulations as they apply to student-athletes.
13. Advise the Chair of the Athletic Advisory Committee on all issues related to athletics. In this regard, the Faculty Athletic Representative is a voting ex-officio member of the Athletic Advisory Committee.
14. The Athletic Director and Faculty Athletic Representative serve as the campus delegates to athletic associations and conferences, in the absence of the Chancellor.

15

Faculty Senate

Membership

Membership in the Faculty Senate is confined to individuals who are eligible to vote in general faculty meetings. Representation is allocated as follows: one representative for each seven faculty members, or portion thereof. The representatives from each voting unit are elected by secret ballot by members of the faculty of that unit prior to the September faculty meeting. The term of office is three years, with the term of

one-third of the Faculty Senate expiring each year. The Faculty Chair-elect, the previous year's Faculty Chair, and the Recording Secretary are voting members of the Senate. The Faculty Chair presides and votes only in the case of a tie.

Senate Officers

The presiding officer of the Faculty Senate is the Faculty Chair, who is called the Chair of the Faculty Senate when acting as the presiding officer. The Faculty Chair-elect presides over the Faculty Senate in the absence of the Faculty Chair and serves as parliamentarian for meetings of the Faculty Senate. The Faculty Recording Secretary serves as Secretary to the Faculty Senate.

Conduct of Meetings and Connection to General Faculty

All meetings of the Faculty Senate are open to all members of the faculty; all members of the faculty have the right to address the Faculty Senate. All votes taken in the Faculty Senate are by voice or show of hands, unless a written ballot is desired by any senator. A decision by the Senate may be overruled by a majority of the faculty present at a regular or called faculty meeting. The Faculty Chair must call a faculty meeting for the purpose of reconsidering an action of the Senate upon receipt of a petition signed by 25 percent of the voting members of the faculty.

¹⁶

Teaching

Teaching Responsibilities

The teaching responsibilities of the faculty are among those areas of university life which have for generations been a part of the unwritten code of scholars. The university conceives them to be so important that the performance of the faculty in meeting the provisions of this code is taken into consideration in determining salary increases, tenure, and promotion.

Consensual Relations Policy

Instructional staff members must refrain from engaging in any romantic or sexual relations with students over whom they have academic or supervisory control.¹⁷

Statement of Policy

¹⁶ Revised 4-13-90, 11-30-94. Approved by Board of Trustees-94.

¹⁷ Academic or supervisory control includes advising of student clubs and organizations. Passed by Board of Trustees 5-3-94.

Course Objectives. Faculty members are responsible for stating clearly the objectives of each course they teach at the beginning of each term. Faculty members direct their instruction toward the fulfillment of these objectives. Faculty members are responsible for insuring that the content of the courses which they are assigned to teach conforms to the course descriptions published in the USCS Catalog.

Grading. Faculty members are responsible for informing students in their classes of the methods employed in determining the final course grade and of any attendance requirements. At the request of the student, a faculty member should make available information, an evaluation, or both, of the student's progress and should give and return at least one quiz prior to the published drop date.

Graded examinations and papers are provided to the student for inspection and discussion. Final examinations are retained for one semester to provide the opportunity for review with the instructor, if the student desires. Examinations are graded within sufficient time to make the examination a part of the student's learning experience.

Class meetings. All faculty members are expected to meet their classes regularly and at scheduled times. In case of illness or any other emergency, instructors notify the dean or division chair so that appropriate action may be taken.

Office hours. Faculty and administrative personnel should be easily available to students. Consequently, every faculty member posts and maintains office hours. A schedule of five hours a week, or one hour each class day, is considered as minimally acceptable. Full time faculty may not schedule all office hours on one day. Faculty members should submit a copy of their schedule to their dean.

Advising. Faculty members responsible for academic advising are expected to be in their offices at specified hours for advising during the school year.

Syllabi. Faculty are expected to file in the dean's office copies of current syllabi for courses taught.

Student Petitions. Students who feel the above policy and procedures have been violated should be referred to the Vice Chancellor for Academic Affairs.

Textbooks. Each school or division selects an individual to act as textbook coordinator for book orders within that discipline. Textbook coordinators provide their dean or division chair with all necessary textbook requirements for approval. This list for textbook requirements is due in the dean's office or division chair's office on approximately April 10 for the fall semester, October 10 for spring semester, and March 10 for all summer sessions.

Regulations on Examinations

Final examinations each semester are given in accord with a schedule published in advance of the examination period. No deviation from this printed schedule is permitted unless specific prior approval has been secured from the Vice Chancellor for Academic Affairs. All such deviations must be reported to the Registrar. This provision does not apply to laboratory examinations. Final laboratory examinations may be given during the last scheduled laboratory meeting or according to the final examination schedule.

During the fall and spring semesters, any course which meets two or three times a week, no quiz, test, or examination is given during the last two class sessions prior to the regular examination period. In any course which meets once a week, no quiz, test, or examination shall be given during the last class session prior to the regular examination period. In any course which meets more than three times a week, no quiz, test, or examination shall be given during the last three class sessions prior to the regular examination period.

Grading System

For a detailed discussion of the current grading system, consult the USCS Catalog.

Grade Reports and Changes of Grades

All grades are due in the office of the Registrar as requested by that office. The Registrar is responsible for delivery of the grades to the Office of Administrative Services on the Columbia campus for processing by data processing equipment therefore it is essential that faculty members report all grades as requested.

All students listed on the grade sheet must be given a grade. Any student not assigned a grade by the instructor is assigned a mark of "NR" by the Registrar.

Statement on Academic Freedom

USCS adheres in principle to the American Association of University Professors' "Statement on Academic Freedom." The university's policy shall be to defend academic freedom against any encroachment. As a center of learning, a university depends upon the free search for truth and its free exposition. The university has adopted the following statement on academic freedom:

Faculty members are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of other academic duties, but research for pecuniary return shall be based upon an understanding with the authorities of the institution (see Appendix A, "Patent and Copyright Policy").

Faculty members are entitled to freedom in the classroom in discussing their subjects.

Faculty members are citizens, members of a learned profession, and officers of the institution. When faculty members speak or write as citizens, they are free from institutional censorship or discipline, but their special position in the community imposes special obligations. As persons of learning and as educational officers, faculty members shall remember that the public may judge their profession and their institution by their utterances. Consequently, faculty members shall at all times be accurate, shall exercise appropriate restraint, shall show respect for the opinions of others, and shall make every effort to indicate that they are not spokespersons for the institution.

Faculty members who feel that their academic freedom has been infringed may make written request of the Chancellor that an investigation may be made of their case. The request should set forth in a clear and concise manner the events and circumstances upon which the charge is based. The Chancellor may refer the question to an appropriate faculty committee. See also the section "Grievance Procedures," in this Manual.

EMPLOYMENT, RETIREMENT, BENEFITS

Employment

Terms of Employment

In the absence of special arrangements, employment of the members of the faculty is for a period of nine months. In the event that employment is or subsequently becomes for one semester, either fall or spring, the salary is one-half the nine month stipend.

All members of the faculty must be available from the fourth calendar day prior to the first day of registration and at least until after commencement. These dates are provided by the Vice Chancellor for Academic Affairs at least four weeks in advance.

Summer Sessions

Regular members of the faculty, i.e., faculty with full-time appointments not made for a specific period of time, who were hired prior to September 1, 1973, may teach in one of two summer sessions for which they receive 15 percent of the salary received during the previous academic year. Faculty hired after September 1, 1973 may be offered the opportunity to teach a maximum of two courses at 7 1/2 percent of their base salary for each course, subject to availability. In the case of limited enrollments, faculty members may be offered the opportunity to teach at reduced compensation.

Outside Employment

A member of the university faculty may be permitted to do professional work of an expert character outside the university and to receive pay when the work in question contributes to the professional development of the faculty member. No such outside work is undertaken except on the prior approval of the dean of the school, the Vice Chancellor for Academic Affairs, and the Chancellor. The university reserves the right to declare a conflict of interest at any time. No members of the teaching staff receive compensation for tutoring students in any course for which they are empowered to grant the student credit, or over which they have any authority. This is not to be interpreted as prohibiting tutoring for remuneration in subjects over which the faculty member has no control.

Dual Employment

Employment and compensation by any state agency in excess of an employee's regular salary for temporary, part-time contractual, honoraria, or consultative service is considered dual employment and must be approved in advance by the State Budget and Control Board. Laboratories, equipment and other facilities of the university generally are not available to university employees for consulting work.

Normal Work Schedule

The work schedules of full-time faculty are necessarily flexible but, as a guide, the normal semester teaching assignment is twelve semester hours or its equivalent. Teaching assignments are, of course, affected by the number of students in the class, the level of the course, research, and other assigned duties.

All absences are incorporated into the dean's semimonthly report to the Comptroller. All sick leave must be reported to The Office of Human Resources (consult the policy on "Sick Leave," in this Manual). The Vice Chancellor for Academic Affairs should be notified by memorandum of any sick leave taken by a faculty member that is in excess of five consecutive days. Deans notify the Vice Chancellor for Academic Affairs if they expect to be absent from the campus. In the event of any absence for unusual amounts of time, either on the part of a dean, divisional chair or faculty member, the Vice Chancellor for Academic Affairs should notify the Chancellor.

Affirmative Action Policy Statement

USCS is committed to the policy and practice of affirmative action and equal employment opportunity. USCS does not discriminate on the basis of race, color, religion, sex, national origin, age, handicap or veteran status in any personnel action including, but not limited to, recruitment, advertising, hiring, training, promotion, transfer, tenure, classification, compensation, leave practices, termination, and employee benefit programs. Further, USCS takes affirmative action to employ and advance in employment protected class members such as minorities, women, handicapped individuals, disabled veterans and veterans of the Vietnam Era.

USCS prohibits the sexual harassment of students, faculty, and staff. It is the responsibility of each dean, department chair, director and supervisor to provide a work and educational environment free from sexual harassment or any other form of sex discrimination.

Nepotism Policy

The employment of any person related by blood or marriage within the fourth degree shall not be permitted if such employment results in an employee supervising such a relative, or having influence over the relative's employment, promotion, salary, administration, or other related management or personnel matters. In certain emergency situations, an exception may be granted upon specific recommendation of the Vice Chancellor for Academic Affairs, the System Vice President for Personnel and the Budget and Control Board.

Policy Changes

From time to time, changes in the rights, privileges, and benefits accorded to faculty members may be made as conditions warrant. Changes providing additional rights, privileges, and benefits shall apply to faculty members employed prior to the promulgation of such changes.

Human Resources

Responsibility for academic personnel on the Spartanburg campus is delegated to the Vice Chancellor for Academic Affairs with, as appropriate, consultation with the System offices of the Executive Vice President for Academic Affairs and the System Vice President for Human Resources. On the Spartanburg campus, The Office of Human Resources is responsible for maintaining employee records for all university employees, including academic personnel, and for supplying benefit information to all employees. For matters of policy, academic personnel are referred to the Faculty Manual, and the USC System Policies and Procedures Manual, under the sections of Executive Vice President for Academic Affairs and System Vice President for Personnel. For information on employment records or benefits such as retirement or workers' compensation, faculty deal with USCS' Office of Human Resources.

Political Activity

Full-time employment at USCS is a time-consuming responsibility. The university, therefore, does not encourage outside employment for compensation, political or nonpolitical, which does not effectively contribute to professional advancement and correlate with university work.

However, as responsible and interested citizens, faculty and staff members of the university should fulfill their civic responsibilities and should engage in the normal political processes of our society. With the consent of the President and the approval of the Board of Trustees, any faculty or staff member may seek election to hold public office provided such action does not interfere with normal duties. The candidacy must be approved in advance and prior to announcement for public office following the confirmation that there is no conflict of interest between this activity and the responsibility of the individual to the university and the State of South Carolina.

If it is determined that such candidacy and/or election is in basic conflict with the faculty or staff member's normal duties, the President may ask the employee to obtain a leave of absence without pay or to resign before announcing for the office.

Leave

Annual Leave. Permanent members of the faculty on a twelve month appointment who work at least half-time accumulate annual leave at the rate of one and one-quarter calendar days per month of continuous service. After ten years of service, employees earn additional annual leave for each year in excess of ten years service, up to a maximum accrual of 30 days per calendar year. Part-time employees earn annual leave on a pro-rata basis. Annual leave may be accumulated up to 75 days, but no more than 45 days may be carried over from one calendar year to the next. All time taken for vacation, personal business, etc., must be reported and will be deducted from accrued leave.

The maximum annual leave which may be used in a calendar year is 30 days. Upon separation from employment (except retirement), employees are paid for a maximum of 45 days of unused annual leave, less any annual leave which has been used during the current calendar

year. Upon retirement, employees are paid up to a maximum of 45 days unused annual leave without regard to any annual leave used during the year. The unused annual leave is transferred when an employee transfers to another South Carolina state agency where the employee is eligible to earn annual leave.

Faculty members who change assignments from a twelve-month basis to any other basis shall use their accumulated annual leave, if possible, prior to beginning the new basis. However, when the change is made for the convenience of the university and the individual does not have the time, as certified by the Chancellor, to take the accumulated leave before beginning the new assignment, all possible leave that may be taken in the time intervening must be taken and compensation for any remaining leave may be paid to the individual.

Faculty members employed on less than a twelve month basis do not accrue annual leave. For further information, see the Annual Leave Policy in the USC System Policies and Procedures Manual.

Sick Leave. Permanent faculty who work at least half-time earn sick leave at the rate of one and one-quarter days per month of active employment. Part-time faculty earn sick leave on a pro-rata basis. Sick leave may be accrued up to 195 days, but no more than 180 days may be carried over from one calendar year to the next. Faculty members who, prior to January 1, 1969, accrued and carried over unused sick leave in excess of 180 days shall be allowed to retain the excess sick leave. However, no further sick leave may be earned until the faculty member's sick leave balance has been reduced to less than 180 days, at which time 180 days of sick leave will become the new maximum carry-over for that individual. Sick leave should be deducted in work days or partial days with the understanding that a work week is normally Monday through Friday. A faculty member should report sick leave even though he or she may not be scheduled to teach a class on that particular day. Faculty members who use sick leave for some foreseeable reason, for example, for elective surgery or maternity, are asked to give two months notice, if at all possible.

Sick leave does not accrue during periods of leave without pay.

To the extent permissible, the date on which sick leave for disability is to begin shall be at the request of the employee, based on the determination and advice of a physician. In no event shall such date be prescribed unilaterally except on the basis of professional opinion that the employee is physically or mentally incapable of performing normal duties or that continuing to perform normal duties would be hazardous to the health of the employee. At the earliest possible time, an employee must submit to the appropriate division chair, program director, or dean and to The Office of Human Resources, a statement from his or her physician indicating the projected inclusive dates of the period of disability.

On termination of services for any reason, except transfer to another state agency, unused sick leave is forfeited. Upon transfer to another state agency, sick leave may be transferred, provided unused annual leave is also transferred. When transferring to another state agency where one is not eligible to earn annual leave, the employee may be paid for annual leave and sick leave may be transferred.

For more detailed information, consult the Sick Leave Policy in the USC System Policies and Procedures Manual.

Court Leave. A permanent employee summoned as a member of a jury or subpoenaed as a witness for other than personal litigation, is granted leave with pay. For more detailed information, contact the Director of The Office of Human Resources.

Military Leave. Up to fifteen calendar days in any calendar year are granted for summer training, to permanent employees who are members of a reserve component of the Armed Forces or of the National Guard. Such duty or training should be arranged so as to be of least interference with regular duties. Whenever possible, summer training and participation in the summer session of the university should be scheduled in separate terms.

A permanent employee who enters active military service is entitled to leave without pay with reinstatement rights as provided by law, in a comparable position to that held at the time such leave was granted, provided that the employee returns to work within sixty days after release from active service. For more detailed information, contact the Director of The Office of Human Resources.

Death in Family. Permanent faculty members are allowed up to three consecutive days of leave with pay for a death in the immediate family. Immediate family is defined in the University Policies and Procedures Manual.

Holiday Leave. USCS recognizes the same number of paid holidays as those provided employees of other state agencies. However, the holidays are scheduled according to the academic schedule. The System Human Resource Office publishes a holiday schedule approved by the President each year. For more information contact The Office of Human Resources.

Leave Without Pay. Leave of absence without pay may be granted for good cause on the recommendation of the appropriate division chair, assistant dean, program director, and dean, the Vice Chancellor for Academic Affairs, and Chancellor under circumstances wherein the best interests of the university are served. Such leave is granted for a maximum continuous period of one year, unless special permission is granted by the Chancellor and the President for an extension. If a faculty member fails to return after the period for which leave is granted, the appointment is terminated. The authorization of leave without pay is a matter of administrative discretion and may be considered in the following cases:

- (1) absence due to service in the armed forces;
- (2) extended absence in the interest of USCS, such as advanced academic training, research, or other experience which lead to increased competence and promote the interests of the university as well as the faculty member;
- (3) necessary absences for personal reasons up to a maximum period of 90 days, when such absences extend beyond available annual leave, and when approved by the Chancellor and the President or the President's designee;

(4) for an extended period of disability due to illness, injury or maternity which exceeds the amount of accrued sick and/or annual leave. The duration of leave without pay and paid sick or annual leave shall not exceed 180 days. In extenuating circumstances, the President or his designee may extend the period of leave up to a total of 365 days. For more detailed information, consult the USC System Policies and Procedures Manual.

Annual leave and sick leave do not occur during periods of leave without pay, but accumulated totals are not forfeited. Before beginning leave, faculty members should consult The Office of Human Resources for information on the continuation of retirement, insurance and other employee benefits during the period of leave.

Leave without pay does not affect tenure; however, a period of time during which a faculty member is on leave without pay is not counted toward the acquisition of tenure.

Sabbatical Leave. Sabbatical leaves are intended to allow full-time faculty members relief from normal duties in order to pursue significant projects designed to improve their capabilities as scholars and teachers and hence to increase their future contribution to the mission of USCS. Sabbatical leaves are designed to permit faculty members to achieve educational goals which could be reached only over an extended period of time if pursued under the demands of regular university duties. Consequently, recipients of sabbatical leave are to be separated from all university duties during the leave.

Requirements. To be considered for sabbatical leave, a faculty member must be a tenured associate professor or professor with six or more years of full-time service and must be eligible to serve for a reasonable period following completion of leave, under no circumstances less than one year. If the faculty member does not choose to return for whatever reason, he or she is liable to USCS for the full amount paid to him or her during the period of sabbatical leave. However, in the event of death or permanent disability due to illness or accident while on sabbatical leave, USCS will not exercise its right of repayment.

Procedures. Faculty members requesting sabbatical leave must demonstrate, by means of a written proposal submitted through the appropriate dean or to the Vice Chancellor for Academic Affairs, how their planned activities serve the purposes for which they are intended. All proposals must be submitted by February 1. A written report should be submitted to the Vice Chancellor within two months after returning to the institution. A sabbatical leave provides one-half pay for a full academic year, or full pay for one-half of an academic year. Granting sabbatical leaves of absence is dependent upon budget limitations, work loads, and other considerations. Therefore, it is a matter of administrative discretion. For Sabbatical Policy and Guidelines See Appendix C.

Other Information. Before beginning sabbatical leave, faculty members should contact The Office of Human Resources for information on the continuation of retirement, insurance plans, and other employee benefits during the period of sabbatical leave.

Annual leave is not accrued by twelve-month faculty while they are on sabbatical leave.

Research

While the mission of USCS is primarily undergraduate instruction, faculty members are encouraged to do research, as time and facilities permit, in order to maintain a proper knowledge of their respective disciplines.

Attention is called to the possibility of financial support by means of grants and contracts. The USCS Grants Coordinator continuously monitors information from federal agencies and other sources and assists any faculty member wishing to prepare a proposal.

Grants Administration. Each research, training, or special project that is sponsored is assigned a named individual of the faculty or staff who is designated principal investigator or project director. Normally, this is the member who conceived and proposed the activity resulting in a grant or contract. The principal investigator may not be changed without the approval of the sponsor. The principal investigator or project director is responsible for administration of all direct funds allocated to the project and compliance with the terms and conditions of the grant or contract. The USCS Grants Coordinator assists the principal investigator in resolving any procedural or administrative questions.

Conflict of Interest. The university has adopted the principles of the December 1964 joint statement of the ACE-AAUP entitled "On Preventing Conflicts of Interest in Government Sponsored Research at Universities." The Grants Coordinator at USCS is notified of all outside consulting and research activities performed by faculty or staff members who are participating in government sponsored research or receiving federal grants. Should any conflict of interest be indicated, the individual concerned is contacted in order to clarify and/or rectify the situation. The Grants Coordinator is available for advice and assistance with regard to consulting agreements or potential conflicts of interest.

University Funds. The university assigns a moderate sum each year for research purposes through the Teaching Improvement Committee and the Carolina Venture Fund. Applications for support from these funds may be obtained from the Grants Coordinator. The Committee for Productive Research and Faculty Development on the USCS campus also makes recommendations on the funding of research projects. Proposals should be submitted to the committee following its published guidelines.

Consultant Activity

For the basic policy on employment outside the university, see the preceding section on "Employment."

Laboratories, equipment and other facilities of the university generally are not available to university employees for consulting work. Patent and copying rights for approved consultant activities are matters decided between the faculty member and the outside agency. If, however, university facilities are used, an interest of the university is thereby established, and agreement as to patent and/or copyright matters should be resolved before undertaking the project. Conversely, when the university hires a consultant, specific prior arrangements should be made in the consultative agreement for protection of the university's rights.

In cases where a university employee is hiring a consultant to be paid from a university grant or contract, such consulting is subject to the funding agency's regulations imposed within the grant or contract document. Further, if the consultant to be hired is a permanent state employee, remuneration for such activities is governed by the state and university's policies on extra compensation and dual employment.

Reduction-In-Force Policy

Reduction-in-force may become necessary because of conditions inside or outside of USCS. Federal, state or local appropriations may be reduced or cut off entirely, or the university may be allowed to use only part of its appropriation. These and other factors occurring singly or in combination may make it necessary for USCS to undergo a reduction-in-force. Depending on the cause, the reduction-in-force may be temporary or permanent. Employees are released in a positive and equitable manner. A reduction may not require any involuntary separation if it can be accomplished through transfer, reorganization, or attrition. The university administration may also find it necessary to reduce certain phases of work as work levels change or fluctuate. However, should a reduction-in-force become necessary, the procedure outlined below is adhered to.

The President of the University, acting in consultation with the Chancellor and with a faculty committee, bears the responsibility for determining the need for reduction-in-force decisions, and upon such determination, of authorizing a plan developed through appropriate internal channels to accomplish this reduction. This plan is applicable to USCS faculty. The plan identifies the area(s) and the faculty to be included in the reduction-in-force according to the following general criteria:

- (1) Area(s)
 1. The importance of the area(s) to USCS in performing its mission;
 2. The impact of the area(s) upon the ability of the USCS to perform its mission;
- (2) The following criteria shall apply to persons within the area:
 1. Appointment status: non-tenured shall generally be reduced before tenured;
 2. Length of service;
 3. Quality of service: as determined by the formal evaluation process;
 4. Specialization or function: as the need for a specific field of expertise or services of a person.

The university explains the procedures through which employees affected by a reduction-in-force are informed of all benefits. The university assists employees seeking employment elsewhere.

Upon special request the plan to accomplish the reduction is made available to any employee affected by the plan.

The Faculty Grievance Procedures for USCS specifies the time provided for notice and procedures for grieving.

1

Distinguished Professor and Emeritus Titles

The title of Distinguished Professor is awarded to tenured members of the university faculty in their final year of service at USCS who have earned the rank of full professor. Upon retirement, this title changes to that of Distinguished Professor Emeritus.

The title of Emeritus Professor is normally conferred on any tenured member of the instructional staff who at the time of retirement holds the title of assistant or associate professor. A citation is presented to each Emeritus recipient at the spring commencement and every effort is made to provide office space, parking privileges, and the like.

Retirement

Retirement Policy

Retirement is governed by State and Federal law. Faculty members, as state employees, are entitled to all retirement benefits available under law and through the South Carolina Retirement Systems or through the Optional Retirement Program. In addition, the University may provide part-time employment for faculty who have retired.

The South Carolina Retirement System

This section is subject to interpretation by the South Carolina Retirement System and to changes which may be enacted by the General Assembly.

The South Carolina Retirement Act sets the amount which must be contributed by both the employee and the employer, depending on the particular system in which the employee participates. Retirement contributions made after July 1, 1982 are exempt from Federal Taxes until the money is withdrawn.

Details concerning the contribution benefits accruing as a result of participation in the South Carolina Retirement System are available from the office of Human Resources at USCS or USC-Columbia.

The South Carolina Retirement System provides "a formula return at retirement based on a salary average and years of credited service with the retirement system. Any member may retire with full formula benefits at age 65 or with 30 years of credited service. Members with fewer than 30 years of service may retire with benefits at age 55 with 25 years of credited service or age 60 regardless of years of service.

1

Members who leave state employment prior to retirement may withdraw the sum of their contributions payable at interest. However, members who have at least five years of credited service may choose to leave their contributions with the retirement system and qualify for deferred retirement income at age 60. Members with 25 years of service credit may purchase the additional service needed to qualify for full formula benefits provided retirement is taken within 90 days of purchase. Members who leave the University and who have 25 years of service credit may continue paying contributions to the South Carolina Retirement System until they qualify for full formula benefits.

Service credits may be purchased for certain military, federal, out-of-state service, and non-member prior service with a public agency in South Carolina.

Any member who becomes permanently disabled after completing five years of creditable service may apply for disability retirement benefits.

At the death of a contributing member who has at least 12 months of credited service, the South Carolina Retirement System will pay to the member's beneficiary a death benefit equal to the member's annual base salary. Other survivor options are available to the beneficiary when there have been 15 years or more of creditable service.

2

Optional Retirement Program (ORP)

Faculty members hired on or after July 1, 1987 may choose to enroll in the Optional Retirement Program. State law requires that the faculty member contribute at the same rate as for the South Carolina Retirement System. ORP members are immediately vested for both the employee and employer contributions. For information on the amount contributed by the University, contact the Division of Human Resources. The Optional Retirement Program does not include the Group Life and Disability benefits provided through the South Carolina Retirement System. Retirement, death, and disability benefits are based on the cash value of the member's account.

Benefits, Privileges, and Services

This policy identifies the Benefits Program available to qualifying permanent employees of the USC System and their eligible dependents. Coverage levels, rates, and other contractual provisions are subject to periodic changes; therefore, the information contained in this policy provides a brief overview of each program.

In concert with the University's policy on Affirmative Action and Equal Employment Opportunity, the benefits, privileges, and services described in this policy shall not be restricted on the basis of race, sex, age, color, religion, national origin, handicap, or veteran status.

Detailed information will be provided to all new permanent employees and updated information will be provided to all permanent employees by The Office of Human Resources

as changes occur. Employees who wish to visit USCS Office of Human Resources or the System Personnel Division for assistance with their benefits shall be given reasonable time away from the job for such purposes.

3

State Insurance Plans

The USC System participates fully in all insurance programs made available through the State of South Carolina for state employees. Insurance carriers which administer these plans are subject to change based on negotiated contractual agreements. Permanent employees who are scheduled to work at least 30 hours per week for at least six months in a fiscal year are eligible to enroll in any or all of these plans.

The University in conjunction with the State of South Carolina has a comprehensive program of insurance for eligible members of the faculty and staff, and their eligible dependents. Included are the State health insurance plan, dental insurance, life insurance, disability, long term and vision care. Information on the various plans available can be obtained from the office of Human Resources at USCS or USC-Columbia.

Social Security

The University participates in the Federal Program of Old Age and Survivor Benefits (FICA). Participation is required of all employees. This statutory deduction is met with a matching contribution by the University.

Unemployment Compensation

Unemployment Compensation is a program mandated by the Social Security Act of 1936, designed to provide financial assistance for individuals who are out of work through no fault of their own, but who are otherwise available for full-time employment. The program is governed by Federal and State guidelines, and is founded entirely by employer contributions. For additional information, contact the South Carolina Employment Security Commission, Unemployment Compensation Division.

4

Workers' Compensation

A faculty member who is injured on the job or who sustains an occupational illness or disease may be eligible for Worker's Compensation benefits. If a work-related accident or illness occurs, the faculty member should:

1. receive prompt medical care;
2. Notify the immediate supervisor, department chair, or dean as soon as practicable;
3. As soon as possible complete a First Report of Injury form available from the USCS Office of Human Resources.

³ Approved by Board of Trustees in 1989.

⁴ Approved by Board of Trustees in 1989.

Injury forms not submitted in a timely manner can jeopardize the claim. Faculty members who miss work due to a work-related injury must make written election as to whether they will use available leave time or receive Workers' Compensation for the time lost from work. Workers' Compensation Benefits Election forms and complete details are available through the USCS Office of Human Resources

For additional information about specific provisions, costs and entitlements on benefits provided for employees, contact the Office of Human Resources at USCS or USC-Columbia.

Tuition Assistance

Eligible faculty and staff may apply to take one three-hour course per academic term tuition-free (four hours in the case of a laboratory course). Information on eligibility and restrictions is available in the Division of Human Resources at USCS or USC.

Savings Bonds

United States Savings Bonds are available through Payroll Deduction. Interested employees should contact the USCS Human Resource Office or the Benefits Office of the System Personnel Division for further information.

USC System Credit Union

For the benefit of its employees, the University has established a Credit Union to provide a savings and loan system in which permanent employees and their relatives may participate. A wide range of banking services is available. Interested employees should contact the Credit Union or the USCS Human Resource Office.

Social Benefits

As faculty and staff of USCS there are a number of athletic, recreational, social and cultural activities on campus which are free or for which only a nominal fee is charged. Information about these activities can be obtained from the campus new sources.

Additional Information

For additional information about specific provisions, costs and entitlements on benefits provided for employees, contact the Office of Human Resources at USCS or USC-Columbia.

APPOINTMENT AND SELECTION PROCEDURES

Appointments to the Faculty

Appointment Procedures

When a vacancy exists, it is the duty of the appropriate dean to identify candidates and assemble the necessary information for an appointment decision. All vacancies are advertised in accord with affirmative action regulations. The following procedures must be followed in the case of all tenure track positions.

A search committee of four faculty from within the school or division in which the vacancy has occurred and an additional faculty member from outside the school or division is appointed by the appropriate dean. The search committee reviews letters of application, vitae, transcripts, and three letters of recommendation for all candidates. After the committee contacts the references of the most promising candidates, the appropriate dean consults with the Vice Chancellor for Academic Affairs, and the committee arranges interviews. The search committee makes every effort to insure that each faculty member within the school or division has the opportunity to meet each candidate invited for an interview. Faculty are invited to submit written comments and evaluations on each candidate they meet.

After interviews have taken place and candidate selections have been made with consultation of the school faculty, the committee votes upon recommendations. The chair of the committee forwards the recommendations to the dean, ranking the candidates in order of the committee's preference. Approval to make an offer must be obtained by the dean from the Vice Chancellor for Academic Affairs and the Chancellor. If approval for the offer is granted, the letter of appointment is forwarded to the candidate. Should the candidate reject the offer, all documents are retained for file by the appropriate dean.

Procedure for Selection of Deans

The selection of a dean and the evaluation of performance in that office are matters requiring the joint consideration of the faculty and administration. The following are general policies defining the position of dean and the appropriate procedures for faculty participation in the appointment and reappointment of deans.

Procedure for Selection

When a vacancy occurs in the position of dean, the Vice Chancellor for Academic Affairs informs the faculty of the school in writing and invites the faculty to elect up to three persons to serve on a search committee.

Participation in the selection of a dean is restricted to full-time faculty members at the instructor level or above who have not been officially notified of non-reappointment or final unfavorable decisions on tenure. Full-time lecturers may be eligible to participate if such participation is recommended by the majority of the school faculty eligible to vote and is approved by the Vice Chancellor for Academic Affairs.

The Vice Chancellor for Academic Affairs appoints up to two additional persons at least one of whom is a member of the faculty of another school or a librarian. The Vice Chancellor for Academic Affairs selects a chair for the committee from among the elected or appointed members.

The Vice Chancellor for Academic Affairs, in consultation with the faculty committee members and the Chancellor, may determine that community representation on the search committee is in the best interest of the school and the university. Community members are selected by the Chancellor in consultation with the Vice Chancellor for Academic Affairs and the faculty committee members.

Comprehensive searches are used for new deans unless special circumstances exist. The usual case includes both internal and external candidates. The Vice Chancellor for Academic Affairs, in consultation with the Chancellor and the faculty of the school, determines before the search committee is formed whether the special circumstances exist which would limit the search to present faculty members of the university. The search always complies with the university's affirmative action policy.

Standard Search

The search committee places a notice of vacancy in the appropriate professional journal or personnel newsletters and in one general publication, such as the "Chronicle of Higher Education."

The search committee collects letters of application, vitae, transcripts, and three letters of recommendation from promising candidates. After contacting the references of the most promising candidates, the committee consults with the Vice Chancellor for Academic Affairs, and the committee arranges interviews. The number of external candidates exceeds four only with the specific approval of the Vice Chancellor for Academic Affairs. The search committee makes every effort to insure that each faculty member within the school has the opportunity to meet each candidate invited for an interview. Faculty are invited to submit written comments and evaluations on each candidate they meet.

The search committee ranks acceptable candidates in order of preference. The committee forwards the names of the acceptable candidates along with all supporting materials to the Vice Chancellor for Academic Affairs. The committee is urged to submit at least four names and in no case less than two.

The Vice Chancellor for Academic Affairs recommends an appointment and forwards all materials to the Chancellor. The Chancellor either approves the appointment or asks the search committee to submit additional names.

The appointment of a dean is subject to confirmation by the President.

Internal Search

If a decision is made to limit the search to persons already on the faculty, the committee invites nominations, collects relevant information and makes it available to the faculty.

The selection procedures described above, with the single exception of placing notices in off-campus publications, are followed in the case of internal searches.

Term of Appointment

The term of appointment for a dean is five years. After completing an initial term, reappointment for additional terms may be made by the Vice Chancellor for Academic Affairs in consultation with the faculty of that school. Consultation with the faculty of the school will include a poll of faculty by the Vice Chancellor for Academic Affairs on whether they "recommend" or "do not recommend" reappointment. Usually a dean will not be reappointed beyond a second term.

The appointment of a dean may be terminated by the Vice Chancellor for Academic Affairs with the approval of the Chancellor and the President.

Procedure for Selection of Division Chairs

The selection of a division chair and evaluation of performance in that office are matters requiring the joint consideration of the faculty and administration.

Procedure for Selection: Internal and External Search

When a vacancy occurs in the position of the division chair the dean of the school informs the faculty of the school or division in writing and invites the faculty to elect up to three persons to serve on a search committee.

Participation in the selection of a division chair is restricted to regular, full-time faculty members holding continuing appointments above the instructor level who have not been officially notified of non-reappointment or of a final, unfavorable decision on tenure.

Instructors may be eligible to participate if such participation is recommended by the majority of the school or division faculty eligible to vote and is approved by the dean.

The dean appoints up to two additional persons from the school or division. The committee elects its own chair. The search committee collects letters of application, vitae, transcripts, and three letters of recommendation for all candidates. After contacting the references of the most promising candidates, the committee consults with the dean, and the committee arranges interviews. The search committee makes every effort to insure that each faculty member within the school or division has the opportunity to meet each candidate invited for an interview. Faculty are invited to submit written comments and evaluations on each candidate they meet. The number of external candidates exceeds four only with specific approval of the Vice Chancellor for Academic Affairs.

When the interviews are completed, the search committee sends a ballot containing the names of all remaining candidates to all voting members of the faculty of the school.

Faculty rate each candidate as acceptable or unacceptable and rank acceptable candidates in order of preference. If two or more candidates are acceptable to a majority of the participating faculty, the committee forwards their names, along with all supporting materials to the dean. If there are not at least two acceptable candidates, the dean has the option of requesting a full report or instructing the committee to resume the search.

The dean appoints a division chair, and forwards all materials to the Vice Chancellor for Academic Affairs through appropriate administrative channels. The Vice Chancellor for Academic Affairs either approves the appointment or asks the dean to request the search committee to submit additional names.

Term of Appointment

The term of appointment for a division chair is three years. After completing an initial term, reappointments for additional terms may be made by the dean in consultation with the Vice Chancellor for Academic Affairs and the faculty of that school or division. Normally, division chairs will not be appointed for more than two terms. Reappointment beyond the first term is restricted to the cases where it is clearly in the school's and university's best interest. Consultation with the faculty of the school or division will include a poll by the faculty on whether they "recommend" or "do not recommend" reappointment. The poll will be conducted by the Office of the Dean. In the case of reappointment, the decision will be accompanied by the rationale for reappointment.

The appointment of a division chair may be terminated at any time by the dean with the approval of the Vice Chancellor for Academic Affairs.

REVIEW PROCEDURES

Procedures for Both Administrative Annual Review and Faculty Peer Review

Objectives of Review

The most important objective of the annual review process is to provide a basis for professional improvement and development. In addition, the annual review process is intended to provide a basis for identifying ways in which USCS can support faculty members in professional growth and development. Finally, the annual review is used to provide a basis for faculty and administrative decisions on merit salary, promotion, retention, and tenure.

Criteria for Review of Teaching Faculty

In all schools and divisions the basis for administrative annual review and for faculty peer review are the promotion and tenure criteria of (1) teaching effectiveness, (2) university service, community service, or service to the profession, and (3) scholarship, creativity, or research. Teaching effectiveness is to receive the major emphasis in all schools and divisions. All faculty are expected to reach and maintain a high level of teaching effectiveness. Individual differences and strengths in meeting other criteria are to be recognized and encouraged.

Student opinion surveys are required documentation for the reviews in all schools and divisions. Each faculty member may develop additional methods of documentation.

The annual review and peer review evaluation form is the same for all schools and divisions. The form includes definitions of evaluation terms.

Review Files

The review files of the faculty members being reviewed are kept in the college/school/division chair secretary's office and are to be read in a private area in that school or division. Following completion of peer review, it is the responsibility of each faculty member being considered for promotion and/or tenure, to place his/her file with the Promotion and Tenure Committee.

Administrative Annual Review of Faculty

Faculty to be Reviewed

Faculty members who are in their first two years at USCS are be evaluated semi-annually by the rating administrator. For faculty completing their first year of teaching, the review, including the interview, must be completed by March 1. For remaining faculty, the review, including the interview, must be completed by March 31.

Faculty members are responsible for establishing and maintaining a current performance file for use in the review process. All such files created for the annual review process are mutually exclusive from other personnel files.

Responsibilities of the Dean in Annual Review

The dean provides each faculty member a copy of the annual review objectives, criteria, procedures, and forms. The procedures are the following.

In the college/school with more than one academic unit, the dean requests that each division chair provide recommendations for faculty annual evaluations. Before consulting with the dean, the appropriate division chair meets with each faculty member to discuss a recommendation to the dean on annual review. The recommendation is provided for the dean's use on a copy of the annual review form; it is signed by the faculty member (signatures do not necessarily mean agreement with the recommendation). The division chair forwards the recommendation to the dean. After the dean has received the recommendation, the dean will meet with the division chair to discuss the recommendation.

The dean requests faculty members to schedule an annual review interview. At the interview (or at additional meetings before the end of the year), the dean and the faculty member discuss past performance, establish future goals, and consider the ways in which USCS may help to contribute to improved performance and meeting future goals. At the conclusion of this meeting, the dean and the faculty member sign the completed evaluation form to show that a review has occurred. The dean provides the faculty member with a copy of the evaluation.

Within two weeks of the interview, a faculty member may request from the dean a written explanation of the evaluation. This explanation must be provided within two weeks from the time the request is received. The faculty member may write a response to the review and to the dean's explanation of the review within two weeks after receiving the explanation. All responses are signed by both parties to indicate that they have seen the responses. The reviewer's signature does not necessarily imply that the reviewer agrees with the response. The dean's explanation and the faculty member's response are forwarded along with the dean's evaluation to the Vice Chancellor for Academic Affairs.

If the Vice Chancellor for Academic Affairs or Chancellor disagrees with the dean's evaluation, the Vice Chancellor for Academic Affairs or Chancellor must inform the dean and the faculty member in a letter. The letter explains the rationale for the disagreement.

Appeal of Administrative Annual Review

If disagreement between the faculty member and the rating administrator over the annual review cannot be resolved, the faculty member may request a review from the peer review committee of the school or division. At its option, the peer review committee may forward, without comment or prejudice, any appeal to the Promotion and Tenure Committee. In this case, the evaluation of the peer review committee or Promotion and Tenure Committee is forwarded by the committee chair to the Office of the Vice Chancellor for Academic Affairs. Within ten working days, the Vice Chancellor for Academic Affairs, on the basis of the information submitted, will make a determination of the annual review. Copies of the Vice Chancellor for Academic Affairs' review are forwarded to the faculty member, to the administrator in question, and to the chair of the peer review committee.

In the case of an appeal of annual review to the faculty peer review committee or, if the appeal is forwarded, to the Promotion and Tenure Committee, a faculty member may not ask the Grievance Committee to substitute its judgment for the qualitative professional judgment of the peer review committee or the Promotion and Tenure Committee which has already reached a decision on the matter in question. The Grievance Committee has authority only to review the process leading to the action or decision in question. Its function in this case is limited to determining whether procedural due process was followed, whether academic freedom was respected, and whether or not discriminatory, arbitrary, or unreasonable practices contributed to the decision in question.

Faculty who are members of the peer review committee and who are making an appeal to the committee, must resign from the committee. Faculty of the school or division elect a replacement.

Publication of Annual Review Rankings

The Office of the Vice Chancellor for Academic Affairs publishes for each school and division and for the university as a whole a distribution of all administrative rankings. This distribution is to be distributed to all faculty and all administrators with faculty supervisory responsibilities by the end of the spring semester. The distribution may be used by the Promotion and Tenure Committee in its deliberations on requests for promotion and/or tenure.

Faculty Peer Review

Faculty to be Reviewed

All faculty normally teaching six semester hours or more are reviewed by their peers at least every five years. In addition, faculty teaching fewer than six hours each semester are subject to review if being considered for promotion and/or tenure. Those evaluated include all teaching associates, instructors, lecturers, and tenurable faculty. The list of faculty to be reviewed within each school or division should be kept in each dean's office where it is available to the faculty.

Faculty in the first two years of employment at USCS are reviewed during each of their first two years of employment. Evaluations for first and second year faculty are completed prior to employment decision deadlines. For faculty completing their first year of teaching, the review must be completed by February 20 (June 8 for a second semester appointment); for faculty completing their second year of teaching, the review must be completed by November 23 (March 23 for a second semester appointment). For faculty undergoing the mandatory five year review, the review must be completed by March 9.

Faculty members being considered for promotion and/or tenure are evaluated during the fall semester of that year at a time appropriate to meet Promotion and Tenure Committee deadlines. Other faculty members are evaluated early during the second semester of their evaluation year.

Any faculty member may request an evaluation by the peer review committee during any semester.

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Membership of the Peer Review Committee

A peer review committee with five members at least three of whom are tenured is elected by each school or division. If a school or division has fewer than three tenured faculty members available for service on the committee, the faculty may elect untenured faculty or substitute tenured faculty members from another voting unit. When a sufficient number of eligible faculty are available in any school or division, only tenured faculty members from the school or division serve on the peer review committee. Committee members are to be elected during the first school or division faculty meeting in the fall. To insure continuity, at least one committee member should carry over from the previous year's committee. The chair is a tenured committee member selected by the committee. The constituency of the Peer Review Committee for the purposes of Promotion and Tenure review can be found in Section 6, Procedures of the Peer Review Committee.

Faculty members who are (1) in their first two years of employment at USCS, (2) seeking promotion and/or tenure, or (3) requesting peer review, (4) serving on the Promotion and Tenure Committee, or (5) administrators responsible for conducting reviews within a school or division are not eligible to serve on the peer review committee

The responsibilities of the Peer Review committee in evaluating candidates for promotion and tenure can be found in Chapter 2, page 13

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Responsibilities of Peer Review Committee Members

Each committee member reviews the annual review file of each faculty member being reviewed and completes an evaluation form for each individual. These separate reviews are not to be signed.

The responsibilities of the Peer Review Committee in evaluating candidates for promotion and tenure can be found in Section 6, Procedures of the Peer Review Committee.

It is suggested that committee members provide written comments concerning each section of the review form to support their evaluation.

Each committee member is responsible for keeping confidential the contents of the annual review files, individual evaluations, and the summary review sheets.

Responsibilities of the Peer Review Committee Chair

The chair informs faculty members to be considered for promotion and tenure of the peer review deadlines and the guidelines for file preparation. These guidelines are the same as those required for promotion and tenure file preparation.

The chair informs all other faculty seeking review by the peer review committee of committee deadlines at least 30 days prior to the deadline for submitting annual review files.

The chair indicates to the committee members the names of faculty to be reviewed and also distributes the calendar, directions pertaining to the review, and the appropriate review forms to the committee members prior to the review procedure.

Only the chair, acting on behalf of the committee, may request additional information from the faculty member being evaluated.

The chair, in conjunction with the committee, edits a summary review for each faculty member being evaluated. A tally of the number of individual letter evaluations should be recorded on the final summary review sheet.

The chair is responsible for seeing that the summary review is signed and dated by each member of the committee, thus indicating that each member has seen the summarized comments. If disagreement arises over the summarized comments, the chair is responsible for rewriting the summary until agreement is reached or for enclosing each individual's written comments as the summary statement.

The chair is responsible for sending the summary review sheet to (1) each faculty member reviewed, (2) the Promotion and Tenure Committee for faculty members being considered for promotion and/or tenure, and (3) the faculty member's immediate supervisor, dean, and Vice Chancellor for Academic Affairs. Both the individual review sheets and the summary review sheet are sent to the Office of the Vice Chancellor for Academic Affairs. Both the individual review sheets and the summary review sheet are confidential. Only the summary sheets are accessible to the faculty member reviewed, the Promotion and Tenure Committee for faculty being considered for promotion and/or tenure and the faculty member's immediate supervisors, dean and the Vice Chancellor for Academic Affairs.

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Appeal of Peer Review Committee Evaluation

Faculty members may write a response to the summary review within two weeks after receiving the summary. The response must be signed by the chair to acknowledge receipt and distributed to all other committee members. The chair of the peer review committee must forward within five working days all responses to the peer review committee's evaluation through appropriate administrative channels.

PROMOTION AND TENURE REGULATIONS

Faculty members hired into the tenure track after July 1, 1996, will be responsible within their probationary period for meeting the unit tenure and promotion criteria and University standards in effect at the time of their hiring. Subsequent to the probationary period, these faculty members will be responsible for meeting unit criteria and University standard in effect at the time of their application for that promotion.

Promotion and Tenure Committee

Duties. The Committee establishes criteria for promotion and tenure and sets procedures for the implementation of promotion and tenure policies, subject to approval by the faculty and all appropriate administrative channels. The Committee, in accordance with approved criteria and procedures, makes recommendations to the Chancellor regarding the granting of promotion and tenure.

Membership. The Promotion and Tenure Committee consists of nine faculty members, six elected and three appointed. Terms are for three years, with two members elected and one appointed each year. Only tenured associate professors/librarians and professors/librarians who have taught at USCS for one year or more are eligible to serve on the promotion and tenure committee. Each voting unit is represented as long as at least two faculty members from that unit are eligible to serve; if at least two faculty members from a unit are not eligible to serve, the requirement that the voting unit be represented on the Committee is waived until two or more faculty members are eligible. If the position is an elected one, it is filled by an election by the general faculty; if the position is an appointed one, it is filled by appointment by the Chancellor. No more than two faculty members from the same voting unit may serve on the Committee at the same time. Elections of members of the Committee are held at the general faculty meeting in the spring, with nominations from the floor.

Elected Committee members who find it necessary to resign shall be replaced by election at a called faculty meeting. Appointed Committee members who find it necessary to resign shall be replaced by appointment by the Chancellor.

Tenure Criteria. Faculty are responsible for insuring that their files are current with respect to evidence needed to support promotion and tenure recommendations.

Definitions for Teaching Faculty.

Teaching Effectiveness. Effective teaching has many manifestations. It comprises classroom instruction and a broad range of faculty-student relationships.

Individual attributes may vary, and the extent to which individuals exhibit an attribute may differ, but the following traits are those which are commonly valued in a teacher: command of subject matter; familiarity with advances in one's field; organization and presentation of material in a forceful and logical manner through the use of a variety of methods; active involvement of students in the learning process; capacity to awaken in students an awareness of the general objectives of one's discipline; ability to make one's discipline relevant to the students' lives and values; ability to guide advanced students to creative work; maintenance of a high standard of achievement among students and fairness and good judgment in grading students' performance.

The extent and skill of a faculty member's participation in the general guidance and advising of students and his or her contributions to student welfare are of importance in appraising a teacher's value to the university. A teacher's ability to communicate effectively with students is valued.

Service. Faculty members are responsible for contributing to the processes which enable the university to implement its mission. Since the faculty plays an important role in the formulation of university policies, recognition is given to faculty members who participate effectively in faculty governance and the development of institutional procedures, whether assigned or assumed voluntarily. Service by faculty to larger communities, local, state, national, and international, is valued. Public service which leads to the advancement of a profession is considered worthy of recognition. Distinctions must be made between routine performances and high-level contributions to collegial endeavors. Additional remuneration for this kind of service shall not lessen the worth of such contribution in evaluating a candidate's performance.

Scholarship and Creativity. Demonstrated professional distinction is recognized as a criterion for promotion and tenure. Faculty members are expected to provide evidence of scholarly achievement. Such evidence varies depending upon the talents and interests of individuals and their particular fields of study. In any endeavor, the quality of the work is more important than the quantity. Each of the following is valued according to the contribution to the field: application of knowledge in one's academic field of interest to special projects, publication of scholarly books, textbooks, articles in scholarly referred journals, other publications, professional reports and reviews, and participation in projects of scholarly interest. Applied research and consultation for business, industry, government, education, and service agencies are recognized as avenues of professional development and creativity and are important aspects of scholarship in the university's service to the community. Additional remuneration for this kind of work shall not lessen the worth of such contribution in evaluating a candidate's performance.

In certain fields such as art, music, and literature, distinguished creativity and performance receive consideration equivalent to distinction attained in research and other scholarly endeavors. Creative activities often receive public recognition as reflected in

professional awards, the assignment of special tasks and commissions, the acceptance of the faculty member's work in permanent collections, publication in leading professional journals or multiple publications of a significant article, invitations to participate in juried exhibits, and any other public honor. Additional remuneration for this kind of work shall not lessen the worth of such contribution in evaluating a candidate's performance.

Definitions for Library Faculty.

Effectiveness as a Librarian. Librarians are involved in the educational mission of the university in a variety of ways, and manifestations of effectiveness depend upon a librarian's specific responsibilities. The following traits are those commonly valued in a librarian: command of the principles of librarianship; familiarity with advances in librarianship and the ability to serve users by anticipating and contributing to their needs through collection development and by improving systems of organization or retrieval of information; the ability to communicate effectively with members of the academic community; the ability to develop cooperation between area libraries and to expand sources of available information; the ability to contribute to effective administrative coordination of library activities by developing library policies and procedures. Administrative evaluations, the opinions of library colleagues, and the opinions of library users may be used as evidence of effectiveness as a librarian.

Service. The definition of service used for teaching faculty is also applicable to librarians.

Scholarship and Creativity. Demonstrated professional distinction is recognized as a criterion for promotion and tenure. Librarians are responsible for facilitating the work of others, and for this reason, significant contributions to the research or scholarly work of others is valued. Participation in scholarly projects that result in better organization of information or access to information is equally important. Expanding the organization of information on a national, state, or local level is one significant method of contribution, as is helping individual scholars by providing bibliographic knowledge. Publication of scholarly books or journal articles, presentations at professional meetings or workshops, applications for grants to further scholarly activity, and service as a consultant are also valued.

Librarians may also demonstrate librarianship by taking courses outside their discipline or by taking advanced courses in librarianship as well as by participating in creative activities such as preparation of exhibits.

Criteria for Ranks. Faculty members hired into the tenure track after July 1, 1996, will be responsible within their probationary period for meeting the unit tenure and promotion criteria and University standards in effect at the time of their hiring. Subsequent to the probationary period, these faculty members will be responsible for meeting unit

criteria and University standards in effect at the time of their application for that promotion.

As a general policy, the qualifications for appointment and promotion are not intended as justification for automatic promotion. Conversely, justified exceptions to the qualifications for appointment and promotion may be made if warranted.

Definition of Terms.

More Than Satisfactory. Persons considered to be more than satisfactory exceed the normal requirements of their position; the quality of their performance is such to make it worthy of special note. Their level of performance indicates extra thought, time, effort, and imagination; they make important contributions to the School or University, producing results of unusual competence or excellence.

Satisfactory. The category of satisfactory is reserved for persons whose accomplishments clearly meet the requirements of their position; continued performance at this level would be perfectly acceptable. Their accomplishment reflects a good level of performance; their work contributes to the School or University.

Less than Satisfactory. Less than satisfactory is applied to those persons whose accomplishments are clearly below acceptable expectations; their performance is clearly unsatisfactory. Continued performance at this level would severely handicap others. Continued performance at this level would require a determination as to whether persons evaluated in this category should continue in their positions.

Criteria for Promotion and Appointment of Teaching Faculty.

To be eligible for the rank of professor, faculty members must have a record of more than satisfactory teaching and must also have made satisfactory contributions to both service and scholarship and creativity. Faculty are expected to hold the earned doctor's degree and to have a minimum of nine years of relevant experience.

To be eligible for the rank of associate professor, faculty members must have a record of satisfactory performance in teaching and in either service or scholarship and creativity. Faculty are normally expected to hold the earned doctor's degree and to have a minimum of five years of relevant experience.

To be eligible for the rank of assistant professor, faculty members must possess strong potential for academic development. Normally, faculty are expected either to hold an earned doctor's degree or other appropriate degree (as in certain of the performing or creative arts).

The normal educational requirements for each rank may be waived in cases where individuals have (a) made extraordinary contributions in teaching, service, or scholarship and creativity or (b) in disciplines where the earned doctorate is not commonly required for undergraduate teaching.

The Promotion and Tenure Committee will publish general guidelines for further criteria and will publish procedures for the operation of promotion and tenure policies; these criteria and procedures will be approved by the Faculty and the Chancellor. The tenured members of each voting unit will formulate specific criteria for promotion and tenure; these criteria will be approved by the Promotion and Tenure Committee. The Peer Review Committee will include in their recommendation an explicit statement as to the sufficiency of both service and scholarship and creativity for promotion to professor.

Criteria for Promotion and Appointment of Library Faculty.

To be eligible for the rank of librarian, a faculty member (1) must have a record of more than satisfactory effectiveness as a librarian and must also have made more than satisfactory contributions in either service or scholarship and creativity or (2) must have a record of more than satisfactory effectiveness as a librarian and must also have made satisfactory contributions to both service and to scholarship and creativity. The faculty member is expected to have at least an earned master's degree in library science and a second master's in another field or a specialist degree and a minimum of nine years of library experience at the assistant librarian level or above.

To be eligible for the rank of associate librarian, a faculty member must have demonstrated a more than satisfactory degree of effectiveness as a librarian and have a record of satisfactory in either service or scholarship and creativity. The faculty member is expected to have at least an earned master's degree in library science and have a minimum of five years of library experience at the assistant librarian level.

To be eligible for the rank of assistant librarian, a faculty member must have a minimum of five years of relevant experience including at least two years of experience as a library faculty member and must possess strong potential for development. The faculty member is expected to have an earned master's degree in library science.

Library faculty not meeting these criteria are eligible for the rank of instructor. Additional advanced degrees will be looked on favorably for promotion consideration.

The normal educational requirements for each rank may be waived in cases where a person has made an extraordinary contribution as a librarian.

Tenure Regulations.

Regulations for Teaching Faculty. USCS generally adheres to the standards of the American Association of University Professors regarding the rights, privileges, and benefits accorded faculty members; where university policies differ from those standards, the regulations stated herein, or as subsequently modified by the university, apply.

To promote its welfare, the university in general extends the opportunity for full-time tenure-track faculty members to become tenured. To offer the opportunity to become tenured, the university adheres to the following regulations:

New Faculty. Faculty are notified of their tenure status in their letter of appointment. New members of the faculty are informed of the tenure regulations applicable on the effective date of their appointments. Changes in tenure regulations are not applied retroactively if disadvantageous to the faculty member. Faculty members who acquire tenure are notified in writing at the time.

Probationary Period. The maximum probationary period for all full-time faculty members appointed at the rank of professor is continuous service at the rank for six years at USCS. The maximum probationary period for all full-time faculty members appointed at the rank of associate professor is continuous service at the rank for six years at USCS. The maximum probationary period for all full-time faculty members with the rank of assistant professor is continuous service in the rank for seven years at USCS. The maximum probationary period at any combination of ranks is the probationary period of the faculty member's first tenure track appointment at USCS.

For the purposes of consideration for promotion and/or tenure, each year of a first semester appointment is taken to begin with the scheduled fall term, and each year of a second semester appointment is taken to begin with the previous fall term. A summer appointment is taken to begin with the subsequent fall term.

A decision is made as to the status of any tenure-eligible faculty member by the following times:

Rank	Probationary Period	Decision Date
Full Professor/ Librarian:	6 years	end of 5th year
Associate Professor/Librarian:	6 years	end of 5th year
Assistant Professor/Librarian:	7 years	end of 6th year

Award of Tenure at Time of Appointment. It is contrary to university policy to award tenure at the time of appointment unless such an award can be demonstrated to be in the university's interest. Permission to negotiate with respect to the award of tenure to associate or full professors must be secured in advance through appropriate channels from the Chancellor's Office to the President. When permission has been granted to consider the award of tenure to a specific person, the Promotion and Tenure Committee votes on the award of tenure by secret ballot and the tally of the votes as well as any written comments by members of the committee are forwarded as part of the Vice Chancellor for Academic Affairs recommendation concerning the appointment.

Final action in any award of tenure requires approval of the Board of Trustees.

Not Eligible for Tenure. Only full-time faculty members holding the rank of assistant professor/librarian, associate professor/librarian, and professor/librarian are eligible for tenure. Appointments to all other faculty ranks are on an annual basis and service under such appointments is not considered part of a probationary period for tenure consideration.

Non-renewal. If, during the first year of a probationary appointment, it is deemed in the best interest of the university not to renew the appointment, notice of such non-renewal is given in writing by March 1 (July 1 for a second semester appointment).

If, during the second year of a probationary appointment, it is deemed in the best interest of the university not to renew the appointment at the end of the second year, notice of such non-renewal is given in writing by December 15 (April 15 for a second semester appointment).

Thereafter, notice in writing of the non-renewal of any appointment to which the provisions of this section apply is given at least twelve months prior to the date of non-renewal.

If notice of non-renewal is not given in writing by the beginning of the sixth year of the maximum probationary period in the case of professors/librarians, by the beginning of the sixth year of the maximum probationary period for associate professor/librarians, or by the beginning of the seventh year of the maximum probationary period in the case of assistant professors/librarians, then the appointment of the faculty member is a continuous, or tenured, appointment.

Regulations for Library Faculty. The tenure regulations established for other faculty members also apply to library faculty members. The maximum probationary period for a library faculty member is seven years of service at the rank of assistant librarian or six years of service in the case of any rank above assistant librarian.

Regulations for Administrators. No administrator acquires a permanent appointment in administrative office. Relinquishing administrative office does not affect faculty rank or tenure. The tenure status of a member of the faculty appointed to an administrative position is not affected adversely by such an appointment.

The period of time spent in an administrative position by a tenure track person teaching one-quarter or less of the course load of full-time faculty is not counted as service in the probationary period. A non-tenured individual holding an administrative position may acquire tenure only in exceptional circumstances and only upon recommendation through the appropriate channels.

Promotion and Tenure Procedures.

I. ELIGIBILITY FOR PROMOTION and/or TENURE

Each year all non-tenured tenure-track faculty may be considered for tenure, and all tenure track faculty members below the rank of professor may be considered for promotion.

II. FILE PREPARATION PROCEDURES

A. NOTIFICATION

At the end of the spring term of each year, the Vice Chancellor for Academic Affairs will notify, in writing, each faculty member entering her/his penultimate year.

B. FILES

1. Each faculty member in her/his penultimate year of a probationary appointment must submit a file to be considered for tenure. Any faculty member wishing to be considered for promotion and/or tenure must submit a file.
2. During the last week of the spring term, the Promotion and Tenure Committee will survey faculty as to their intentions of submitting files.
3. The candidate bears the responsibility for preparation of the file on which the decision will be based. Copies of the current USC Spartanburg format for promotion and tenure files and the current promotion and tenure calendar are available in the office of the Vice Chancellor for Academic Affairs.
4. A candidate's file must be complete before the peer review committee completes its evaluation and votes on the candidate. Among the items listed in the USC Spartanburg promotion and tenure format, each candidate must include the following items in his/her file.
 - a. original copies of all available written comments from student opinion polls for the past five years of teaching;
 - b. at least one evaluation external to USCS of the candidate's scholarly or creative achievements and other professional activities.
 - c. at least three letters of evaluations for the application for promotion and/or tenure from USCS campus faculty who are neither members of peer review committees in the candidate's unit nor of the Promotion and Tenure Committee.
 - d. an evaluative summary of teaching effectiveness by the candidate's supervisor that includes an evaluative summary of student opinion polls of all courses in the previous five years for which such polls exist, and in the case of library faculty, an evaluative summary of effectiveness as a librarian by the dean of the library (see USCS P.T.-8, II, c.1, d.1);
 - e. the candidate's letter of appointment with salary information blacked out.

5. Letters of evaluation for promotion and/or tenure must be written within the year of review and addressed to the chair of the appropriate peer review committee with copies to the chair of the Promotion and Tenure Committee. (Note: Letters should be submitted to the chair of the peer review committee by the date the file is due to the peer review committee.)

C. ACCESS TO FILES

1. The candidate can review the file except for letters solicited by the candidate and sent directly to the chair of the candidate's peer review committee at anytime prior to the final vote of the peer review committee. After the final vote of the peer review committee, neither the candidate nor any other person may add to or remove from the file any relevant document or information from a file other than the following which must be added:
 - a. the vote of the peer review committee and the summary of its justifications by the peer review chair;
 - b. recommendations and justifications of the division chair, dean, Vice Chancellor for Academic Affairs, and Chancellor;
 - c. the vote and justifications of the Promotion and Tenure Committee;
 - d. the candidate's responses relating to the application for promotion and/or tenure and to any of the above recommendations or votes.
2. The chair of peer review will provide the candidate with a list of letters received (see USCS PT-12) prior to the final vote of the peer review committee. Upon request by the candidate, the chair of peer review will supply a summary of any letter.
3. Files shall not be removed from the administrative offices of the unit reviewing the file.

III. PROCEDURES OF THE PEER REVIEW COMMITTEE

- A. Faculty members applying for promotion and/or tenure are evaluated by a peer review committee during the fall semester of the year of application. This peer review must be completed by the deadline specified in the calendar established by the Promotion and Tenure Committee.

B. For the purposes of review for promotion and/or tenure each peer review committee consists of five tenured members elected by the academic unit. If a unit has fewer than five tenured members available for service on the committee, the faculty will substitute tenured faculty members from another voting unit. Faculty members who are seeking promotion and/or tenure, serving on the Promotion and Tenure Committee, or serving as an administrator with responsibility for conducting reviews within a unit are not eligible to serve on the peer review committee. Committee members are to be elected at the last unit meeting in the spring. To insure continuity, at least one committee member should have served on the prior year's committee. The chair is elected by the committee.

C. Code of Ethics: The members of the peer review committee shall adhere to the following code of ethics.

1. The proceedings of the committee are confidential with respect to all materials, all discussions, and all votes of the committee relative to applications by candidates for promotion and/or tenure.
2. The committee shall discuss only written material contained in the files of the candidates under consideration, or the committee may introduce in writing any matter not addressed in a candidate's file, for the purpose of consideration, provided that the candidate is allowed an opportunity to respond. There shall be no discussion of files among individual committee members except during formal committee meetings.
3. Committee members shall refrain from participation in cases in which their personal prejudices may unduly affect their judgement. No committee member may participate in the deliberations or vote on the candidacy of a spouse or other relative.
4. Committee members' votes shall reflect their best judgment of the candidates' qualifications in meeting the stated criteria.
5. Complaints about possible violations of this code should be made to the chair of the Faculty Welfare Committee, who is responsible for reporting such violations to the chairs of the candidate's Peer Review Committee and the Promotion and Tenure Committee.

D. Each committee member reviews the promotion and tenure file of each candidate for promotion and/or tenure from that unit and completes a peer annual review evaluation form for each candidate. These separate reviews are unsigned.

The chair edits a summary peer review for each candidate that includes a tally of the number of individual ratings in each category and a summary of the comments on the individual forms. The committee approves the summary. Each member of the committee must sign and date the summary annual review.

The chair is responsible for sending a copy of the summary peer review to

- each candidate being reviewed
- the candidate's immediate supervisor
- the dean of the school or college
- the Vice Chancellor for Academic Affairs.

The chair is responsible for inserting a copy of the summary peer review in the candidate's summary notebook after page USCS PT-8.

Finally, both the individual annual review sheets and a copy of the summary peer review are sent in an appropriately labeled, sealed envelope to the Office of the Vice Chancellor for Academic Affairs to be archived. Both are confidential.

Only the summary annual review is accessible to the candidate, the Promotion and Tenure committee, the candidate's immediate supervisor, the dean of the school or college, and the Vice Chancellor for Academic Affairs.

E. The chair of the peer review committee lists on the page in the candidate's summary file labeled USCS PT-12, all letters sent directly to the peer review committee. The chair inserts the letters in the summary file after this page.

F. For each candidate for promotion and/or tenure, each peer review committee member completes a ballot that includes a justification for the vote. The ballots are to be unsigned.

The chair of the peer review committee will tabulate the votes and prepare a written summary recording the numerical vote, and compiling the justifications written on each of the individual ballots in YES, NO, and

ABSTAIN categories. Each committee member will verify the compiled justifications, as applicable, and sign the summary ballot.

The chair of the peer review committee will seal the individual ballots in an appropriately labeled envelope, and will send the envelope to the chair of the Promotion and Tenure Committee. The individual ballots will remain sealed and confidential. The peer review committee chair will insert the summary ballot in the candidate's promotion and tenure summary file after the page labeled USCS PT-13.

G. The chair of the peer review committee will notify in writing each candidate of the committee's recommendation and provide a summary of the justification by the date specified in the Promotion and Tenure Calendar.

In the event of negative recommendation by peer review committee, the candidate may appeal the decision in writing (to the peer review chair) within five working days. If the candidate appeals, the chair will invite further written comments from the members of the peer review committee. The chair will insert the candidate's written appeal or response in the candidate's summary file after the page labeled USCS PT-15.

H. Only the candidate can withdraw his/her file from the promotion and tenure process.

IV. PROCEDURES FOR UNIT ADMINISTRATIVE REVIEW

A. After the peer review committee completes its process, the division chair will review the candidate's file, and will write a letter assessing the candidate's qualifications and making a recommendation on promotion and/or tenure to be included in the candidate's summary file.

B. The file, including the peer review summary ballot (with justifications) and the chair's letter, will be forwarded to the dean of the school or college. The dean will review the file, add his/her own assessment and recommendation after the page labeled USCS PT-13 and the peer review recommendation. The file is next forwarded to the Promotion and Tenure Committee for its recommendation.

C. The candidate receives a copy of each of the recommendations by each evaluator in (B). The candidate may write a response to a recommendation within five working days. The written response is

forwarded by the candidate to the next reviewer who inserts the response in the candidate's summary file.

D. Candidates not in their penultimate year have the option of withdrawing their files from consideration at any stage of the review process preceding submission of their file to the Promotion and Tenure Committee. Such a request is made in writing to the chair of the Promotion and Tenure Committee. Candidates in their penultimate year do not have the option of withdrawing their files from consideration unless they resign from the university.

V. PROCEDURES FOR THE PROMOTION AND TENURE COMMITTEE

A. MEMBERSHIP

See Faculty Manual 6-1

B. RESPONSIBILITIES See Faculty Manual 6-1

C. Code of Ethics:

1. The proceedings of the committee are confidential with respect to all materials, all discussions, and all votes of the committee relative to applications by candidates for promotion and/or tenure.
2. Committee members shall not enter into communication with other faculty concerning candidates being considered by the committee. There shall be no discussion of files among individual committee members except during formal committee meetings.
3. The committee shall discuss only written material contained in the files of the candidates under consideration. The committee may introduce in writing any matter not addressed in a candidate's file, for the purpose of consideration, provided that the candidate is allowed an opportunity to respond.
4. Committee members shall refrain from participation in cases in which their personal prejudices may unduly affect their judgment. No committee member may participate in the deliberations or vote on the candidacy of a spouse or other relative.
5. Committee members' votes shall reflect their best judgment of the candidates' qualifications in meeting the stated criteria.

6. Complaints about possible violations of this code should be made to the chair of the Faculty Welfare Committee who is responsible for reporting such violations to the chair or chair-elect of the Promotion and Tenure Committee.
- D. **Calendar:** During the last week of classes of the spring semester, the committee publishes a calendar for promotion and tenure that includes deadlines for file submission to peer review, and for recommendations from peer review committees, immediate supervisors, deans, the Promotion and Tenure Committee, the Vice Chancellor for Academic Affairs, and the Chancellor. Each candidate is responsible for submitting his/her file to the appropriate peer review committee by the published deadline.
- E. Files are considered privileged information. Once submitted to the Promotion and Tenure Committee, candidates' files are kept in locked cabinets under the general supervision of the assigned staff secretary of the committee. Committee members study each candidate's files only in the Vice Chancellor's Conference Room.
- F. Committee Review Procedures.
 1. The chair organizes the files of candidates into the following categories, based on the current faculty rank of candidates, for consideration by the committee:
 - a. instructors seeking promotion to the rank of assistant professor.
 - b. assistant professors seeking promotion to the rank of associate professor and/or tenure;
 - c. associate professors seeking promotion to the rank of professor and/or tenure;
 - d. professors seeking tenure.
 2. Each file is assigned to a committee member from a different unit than the candidate. The committee member has the responsibility for presenting the assigned candidate's case to the committee. However, all members must read and make written comments on the files of every candidate.

The chair provides members a list of candidates to be reviewed, assigns the files, and designates the order in which they will be reviewed. When the committee is ready to review a candidate's application, the appropriate member presents the candidate's case,

giving the candidate's name, a summary of the file contents in relation to the criteria for promotion and/or tenure, and the recommendations of the peer review committee, the unit chair if applicable, and the dean. The member summarizes the favorable and unfavorable positions. The floor is then open for discussion.

3. Voting: In order to vote, eight committee members must be present. A recommendation in favor of promotion and/or tenure requires six affirmative votes if all nine members are present, or five affirmative votes if eight members are present. All committee votes are confidential.

After the presentation of a candidate's case and discussion, each committee member votes and writes a justification for his/her vote. Each vote is taken in the presence of the full committee. The ballots are placed in an envelope and handed to the chair for tabulation.

Any committee member may request reconsideration of any candidate's application once. The chair prepares a summary ballot containing each candidate's name, the vote tally, and a compilation of the justification under the categories YES, NO, and ABSTAIN. The original ballots are placed in a sealed envelope and archived. The summary ballot is made available for committee members' inspection in the Vice Chancellor's Conference Room. Each committee member will verify the compiled justifications, as applicable, and sign the summary ballot. The chair will insert the final summary ballot after the page labeled USCS P.T.-13 in the candidate's summary notebook.

4. At the conclusion of the promotion and tenure process, each committee member will destroy all personal notes concerning candidates' files.

G. Notifications

1. The chair notifies each candidate in writing of the committee's recommendations and justification for the recommendation, summarizing the justification recorded on the summary ballot. A candidate does not receive the numerical vote.

2. A candidate may request reconsideration of his/her case. The request must be made in writing to the chair of the Promotion and Tenure Committee within three working days after the candidate receives notification of the committee's recommendation. The candidate's request for reconsideration must address the written summary of the committee's justification for its recommendation. A candidate has the option of appearing before the committee and making a presentation. In such an event there is no debate or discussion between the candidate and committee members. Reconsideration of files must be completed five working days prior to the time the files are due to the Vice Chancellor.
3. After evaluating any requests for reconsideration, the Promotion and Tenure Committee adds its final recommendation to the file of each candidate, notifies the candidate, the immediate supervisor, the dean, and forwards its recommendations to the Vice Chancellor. Faculty members may send a written response to the committee to be added to their files.

VI PROCEDURES FOR VICE CHANCELLOR AND CHANCELLOR

- A. The Vice Chancellor for Academic Affairs reviews the file and makes a recommendation regarding promotion and/or tenure. The recommendation is added to the candidate's file, and the candidate is notified in writing with the justification for the recommendation.
 1. The candidate may write a response to be included in his/her file within three working days of notification of the Vice Chancellor's recommendation.
 2. Copies of the Vice Chancellor's recommendation are sent to the candidate's division chair and/or dean and to the chair of the Promotion and Tenure Committee.
 3. After making a recommendation, the Vice Chancellor forwards the file to the Chancellor.
- B. The Chancellor reviews the file and makes a recommendation regarding promotion and/or tenure. The recommendation is added to the candidate's file, and the candidate is notified in writing with the justification for the recommendation.

1. The candidate may write a response to be included in his/her file within three working days of notification of the Chancellor's recommendation. The candidate has the option of a personal meeting with the Chancellor.
2. Copies of the Chancellor's recommendation are sent to the candidate's division chair and/or dean, the chair of the Promotion and Tenure Committee, and the Vice Chancellor for Academic Affairs.
3. If there are differences between the recommendations of the Promotion and Tenure Committee and those of the Chancellor, the Chancellor will meet with the Promotion and Tenure Committee to discuss the differences prior to sending his/her recommendations forward to the President.

If decisions of the Chancellor vary from those of the Promotion and Tenure Committee, the committee may add to each of the respective candidate's files a written response addressing the Chancellor's justification.

C. No later than March 1, the files, including all recommendations and responses are sent to the President of the University who sends his/her recommendation to the Board of Trustees. The President informs the Chancellor of his/her recommendation to the Board of Trustees. The Secretary of the Board of Trustees notifies the candidate of the Board's decision.

Termination of Tenured Faculty. Termination or dismissal of tenured faculty shall be only for cause. Cause shall mean one or more of the following:

- (1) failure to perform adequately the duties of the position so as to constitute incompetence and/or habitual neglect of duty;
- (2) misconduct related directly and substantially to the fitness of the faculty member in his or her professional capacity as a teacher, researcher, or librarian;
- (3) conduct or action which is not protected by the Constitution or laws and which is a clear interference with the academic functions of the university;
- (4) prolonged inability for medical reasons to perform the duties required for the position; termination of a tenured member of the faculty for medical reasons will be based upon clear and convincing medical evidence that the faculty member cannot continue to fulfill the terms and conditions of appointment;

- (5) lapse or withdrawal of licensure to practice in the State of South Carolina, the loss of licensure in any professional area may also be considered as a cause for termination if the license is necessary for the performance of one's academic duties;
- (6) bona fide reduction in staff, which may be caused by financial exigency or by discontinuance or reduction in size of a program or instructional unit for reasons not related to financial exigency.

Termination for Failure to Perform Duties Due to Incompetence and/or Habitual Neglect of Duty; Termination for Misconduct or Conduct interfering with the Academic Functions of the University; for Medical Reasons; for Lapse or Withdrawal of License.

Discussion with the Chancellor. After it becomes evident to the Chancellor that termination may be desirable, there must be discussions between the faculty member and the Chancellor with the intent of arriving at a mutually agreed upon resolution.

Re-Assignment. The Chancellor may assign the faculty member to new duties if the faculty member's continuance in normal duties threatens immediate harm to the faculty member or to others.

Faculty Grievance Committee Review. If the Chancellor and the faculty member are unable to reach a resolution, the Chancellor informs the Faculty Grievance Committee of his or her intention to terminate a tenured member of the faculty. The Chancellor gives this Committee and the faculty member a statement of charges, framed with reasonable particularity, and the basis for these charges, also stated with reasonable particularity. The function of the Committee is to determine whether the facts alleged, if true, establish the charge and whether the charge is of such a nature as to warrant termination. The discussions, records, and recommendations of the Committee remain confidential.

The Committee informs in writing both the Chancellor and the faculty member of its recommendations and its reasons for those recommendations. Should the Chancellor then wish to pursue termination proceedings, the Chancellor informs in writing the faculty member of his or her intention to terminate, including a precise statement of specific charges. The letter shall also inform the faculty member of his or her right to request a hearing by the Promotion and Tenure Committee.

If a faculty member does not request a hearing by the Promotion and Tenure Committee within ten days of receipt of notification by the Chancellor, the Chancellor, without recourse to further proceedings, may send a written letter of termination.

Promotion and Tenure Committee Hearings. If a faculty member desires a hearing by the Promotion and Tenure Committee, he or she must inform the Committee and the Chancellor in writing within ten days of the receipt of notification by the Chancellor of the proposed termination.

Upon receipt of a written request for a hearing, the Chair of the Promotion and Tenure Committee schedules a hearing no sooner than 20 days and no later than 60 days from the date of receipt. All parties must be given written notice as to the time, date, and place.

The following standards and procedures apply in the conduct of the hearing:

- (1) The hearing is closed.
- (2) A verbatim record of the hearing or hearings is taken and a copy made available to the faculty member, without cost, at his or her request.
- (3) The burden of proof that adequate cause exists rests with the Chancellor and is satisfied only by clear and convincing evidence in the record as established at the hearing, considered as a whole.
- (4) Faculty members and the Chancellor are permitted to have an academic advisor and/or counsel of their choice present during the proceedings.
- (5) Faculty members are afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The Chancellor cooperates with the Committee in making available documentary and other evidence.
- (6) Faculty members and their advisors or counsel and the Chancellor or his or her representative have the right to confront and to cross-examine all witnesses. Where the witness cannot or will not appear but the Committee determines that the interest of justice require admission of witnesses' statements, the Committee identifies the witnesses and discloses statements.
- (7) The Committee is not bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved. Every possible effort is made to obtain the most reliable evidence available.
- (8) The findings of fact and the decision of the Committee are based solely on the hearing record.

If the Promotion and Tenure Committee concludes that adequate cause for termination has been established, it informs the Chancellor and faculty member in question.

If the Committee concludes that action short of termination would be more appropriate, it informs the Chancellor and the faculty member together with supporting reasons, and the termination proceedings shall stop at this point.

If the Committee concludes that adequate cause for termination has not been established, it informs the Chancellor and the faculty member, together with supporting reasons, and the termination proceedings shall stop at this point.

Final Disposition and Appeals. Within ten days of receipt of the Committee's report, the Chancellor informs in writing the faculty member and the Committee of his or her decision together with supporting reasons. The Chancellor informs the faculty member of his or her right to appeal an adverse decision to the Academic Affairs Committee of the Board of Trustees. If the faculty member takes no action within ten days of receipt of notification by the Chancellor, the Chancellor may send a letter of termination.

The decision by the Academic Affairs Committee of the Board of Trustees is final within the university. If the Committee's decision is to support the intention of the Chancellor, the Chancellor may then send formal notification of termination.

Termination Because of Bona Fide Reduction in Staff.

Termination Because of Financial Exigency. Financial exigency means an imminent financial crisis which threatens the survival of the university as a whole and which cannot be alleviated by less drastic measures than termination of tenured faculty.

A committee of the faculty must participate with the administration in the decision that condition of financial exigency exists or is imminent and that all feasible alternatives to termination of tenured appointments have been pursued. This committee shall consist of eight members of the faculty, no more than two from the same school, appointed by the Faculty Chair with the concurrence of the Faculty Advisory Committee. The committee must participate in the formulation of criteria for determining termination. Length of service may be appropriately included among the criteria. The committee itself or through appointing persons and/or groups as agents must participate in the decision as to which appointments are to be terminated.

Faculty members receiving notification of an intention to terminate because of financial exigency are entitled to a hearing before the Promotion and Tenure Committee as specified above.

The issues in this hearing may include:

- (1) the existence and extent of the condition of financial exigency. The burden rests upon the Chancellor to prove the existence and extent of the condition;
- (2) the validity of the educational judgments and criteria for determining termination;
- (3) whether the criteria are being properly applied in the individual cases.

Termination Because of Reduction in Program or Instructional Unit. The decision to discontinue or reduce a program or instructional unit is based upon long-range judgments that the educational mission of the university as a whole is enhanced by the discontinuance in contrast to considerations which reflect cyclical or temporary conditions.

The decision to discontinue or reduce a program or instructional unit must be arrived at jointly by the Chancellor and the faculty committee as described above under "Termination Because of Financial Exigency."

Every effort must be made to place faculty members affected by discontinuance in another suitable position within the institution. If placement in another position would be facilitated by a reasonable period of training, financial and other support for such training is offered. Only if no position is available may a tenured member of the faculty be terminated for reasons of discontinuance.

A faculty member receiving notification of an intention to terminate because of discontinuance is entitled to a hearing before the Promotion and Tenure Committee in accord with the procedures described above. A faculty member receiving notification of an intention to terminate because of discontinuance or reduction in program or instructional unit is given twelve month's notice.

In all cases of termination of appointment, the place of the faculty member concerned is not to be filled by a replacement within a period of three years, unless the released faculty member is offered reinstatement and ten working days in which to accept or decline the position.

FACULTY GRIEVANCE PROCEDURES

1

Purpose and Definitions

Purpose

The purpose of the faculty grievance procedures is to ensure that justice is meted out. While the process follows the guidelines below, these proceedings should not be viewed as being designed for the strictness and formality of a court of law.

Definition of a Faculty Member

Faculty members covered in this statement of grievance procedures include faculty, librarians, academic administrators.

Grievable Matters

Individual USCS faculty members have the right to grieve any administrative decision affecting their employment, including, but not limited to the following matters:

1. **Denial of tenure or promotion**, on the grounds of unlawful discrimination; violation or denial of procedural due process; inadequate or improper documentation; use of impermissible criteria, or improper evaluation of criteria; or denial of academic freedom.
2. **Salary and compensation**, on the grounds of unlawful discrimination; violation or denial of procedural due process; inadequate or improper documentation; use of impermissible criteria, or improper evaluation of criteria; or denial of academic freedom.
3. **Non-reappointment of tenure-track faculty**, on the grounds of violation

¹ Entire section revised and approved by General Faculty on 4-19-96 and Faculty Senate on 5-3-96.

or denial of procedural due process or denial of academic freedom.

4. **Any other matters**, on the grounds of unlawful discrimination; violation or denial of procedural due process or denial of academic freedom (e.g., work assignments and disciplinary actions are grievable, although the faculty member should exhaust all other administrative procedures first).

A grievant may not ask the Grievance Committee to substitute its judgment for the qualitative professional judgments of any authorized university party or official who has already reached a decision on the matter in question. The Grievance Committee has authority only to review the process leading to the action or decision in question. Its function is to determine if there is substance to the allegations of the grievant. The Committee is limited to recommending appropriate action to the Chancellor.

²

Procedure: Timetable

The grievant formally requests oral and written explanation from the immediate supervisor. The supervisor has 15 days in which to respond.³

Within 30 days of receiving a response from the supervisor,⁴ faculty members may file a grievance with the next administrative official (Dean, Vice Chancellor for Academic Affairs, Chancellor). In Tenure and Promotion grievances the official is expected to supply a written summary of evaluations and reason for the action. The official has 15 days to respond.⁵

Within 15 days of receiving a response from the Dean or Vice Chancellor, the grievant may request a review by the Chancellor. A response is due in 15 days.

Within 10 days of receiving a response from the Chancellor, the grievant may submit the case to the Chair of the Grievance Committee.

Grievance Procedure

² Revised 10-27-93.

³ All days referred to in the procedure are calendar days. When the last day of the time period falls on a weekend or university holiday, the effective date is the next regular business day. The day following the actual day of notification is counted as the first day.

The grievance procedure may be lengthy, and the grievant is advised to maintain a file of dated correspondence sent and received and dates and notes of conferences held concerning the case.

⁴ All requests and responses are to be in writing.

⁵ Failure of any administrative official or reviewing authority to comply with the deadlines for action does not reverse or modify a tenure, promotion, or other decision, but does permit the grievant to proceed directly to petition the next level in the Grievance Procedure.

Upon receiving a request for a grievance hearing, the Chair of the Grievance Committee draws the names of five eligible members from the Grievance Committee from which to form a hearing panel of three members. No one from the grievant's voting unit may be included among the names from which the five eligible members are drawn.

Members of the hearing panel may disqualify themselves. At the time the hearing panel is formed, the grievant and the respondent each have the right to challenge, without explanation, one member of the group of five. Three members are then selected at random from those remaining to form the panel. The hearing panel elects its own chair.

A grievant's petition to the hearing panel must set forth the factual basis for the contentions and the relief requested. The grievant requests from the chair of the hearing panel all information necessary to the case to which the grievant does not have access.

The chair of the hearing panel:

- informs the grievant of the specific procedures governing the hearing;
- sends written notification to all parties to the grievance that a grievance has been filed; the notification includes the date, time, and place of the grievance hearing. The hearing date is within ten days from the receipt of all pertinent information by the grievant, the respondent, and the hearing panel (see below);
- requires any persons (including committees) employed by the University of South Carolina, whether direct parties to a particular grievance or not, to submit to the chair of the hearing panel all information pertinent to the grievance. All parties have fourteen days to submit the requested information;
- forwards copies of all documents and pertinent information to the grievant, the respondent, and to the members of the hearing panel;
- requests all persons (including committees) employed by the University of South Carolina, whether direct parties to a particular grievance or not, to give testimony during the hearing.

Conduct of the Hearing

The grievance hearing adheres to the following regulations:

- Proceedings of the hearing panel are open (except for the panel's deliberations), unless the grievant requests a closed hearing.
- The chair of the hearing panel presides.
- The grievance hearing does not operate with the strict procedures of a court of law, but all parties have the opportunity to present evidence and the right to

representation by counsel.

- Counsel may address the hearing panel.
- Cross-examination is allowed.
- The grievant and the respondent have the right to be present throughout the hearing; however, the grievance may proceed with the respondent's consent or with unanimous consent of the panel.
- The proceedings of the grievance hearing are transcribed by a licensed transcriber. The transcript is filed with the Office of the Vice Chancellor for Academic Affairs.
- The panel deliberates in private and decides the grievance. All members of the panel, including the chair, may vote.

The chair of the hearing panel notifies all parties to the grievance, in writing, of the hearing panel's final recommendations and the rationale for the recommendations. Copies of the recommendations and rationale are sent to the grievant, the Chancellor, and to the hearing panel members. After the hearing panel has reached a decision and communicated its decision to the grievant and the respondent, and upon written request to the Vice Chancellor, copies of the transcript may be made available by the Office of the Vice Chancellor only to the grievant and the respondent.

The recommendations of the hearing panel are the final word of the USCS faculty.

Internal Channeling from the Committee

Within 15 days, the Chancellor notifies in writing the grievant and the hearing panel of a decision. If the Chancellor's decision is to reject any relief recommended by the hearing panel, the Chancellor states the reasons in writing to the faculty members and to the hearing panel.

If the grievant does not accept the Chancellor's decision, the grievant has 15 days to appeal the decision to the President who has 20 days to respond. Final appeals by the grievant to the Academic Affairs and Faculty Liaison Committee of the Board of Trustees must be filed within 15 days after receiving the President's decision. The Committee has 30 days to respond.

The Academic Affairs and Faculty Liaison Committee may recommend that the matter be remanded to any faculty of administrative level for reconsideration.

Note: Last approved by Board of Trustees 6-28-95. Revision (Librarians) passed by Faculty Senate 12-13-96.

GRADUATE FACULTY SELECTION AND EVALUATION CRITERIA

Graduate Faculty Selection Criteria

Graduate Faculty Status

Graduate Faculty members advise graduate students, teach graduate courses, compose appropriate items for and evaluate Master's comprehensive examinations, direct research projects, and participate in graduate program development, revision, and accreditation processes. For appointment as a **Member of the USCS Graduate Faculty**, the candidate must meet the following criteria:

1. hold the terminal degree in a field of study directly related to the specific program in which the candidate will teach; and
2. demonstrate currency in an appropriate field of expertise through documented research and/or scholarly writing activity; or
3. demonstrate currency in an appropriate field of expertise through documented activity in professional organizations (evidence of such includes attendance at conferences, presentations at conferences, holding offices in such organizations).

After the candidate submits a letter of intent to be considered for membership on the USCS Graduate Faculty or USCS Adjunct Graduate Faculty to the Dean of the school or college housing the program and upon favorable review by the appropriate Division Chair, the Dean of the School [or college] housing the graduate program, and the USCS Graduate Council, USCS will confer upon the candidate **Graduate Faculty** status (or when appropriate, **Adjunct Graduate Faculty** status).

Adjunct Graduate Faculty Status

Adjunct faculty teaching in the graduate programs are expected to meet the criteria for Graduate Faculty. The requirement that candidates hold the terminal degree may be waived for either Graduate Faculty or Adjunct Graduate Faculty status in cases where individuals (a) have made extraordinary contributions in teaching, service, or scholarship and creativity or (b) are in disciplines where the earned doctorate is not commonly required for graduate teaching.

Faculty members who feel they have been inappropriately denied membership on the

Graduate Faculty may appeal to the appropriate dean for reconsideration. If satisfaction is not attained, the faculty member may appeal to the Vice Chancellor for Academic Affairs.

Graduate Faculty Evaluation Criteria

Graduate faculty members are evaluated on the basis of the annual review process and criteria used for other faculty members at USCS. Graduate faculty members are expected to teach at least at a satisfactory level, to produce scholarly and creative work at least at a satisfactory level, and to serve the profession, the university and the community at least at a satisfactory level.

Members of USCS Graduate Faculty and Adjunct Graduate Faculty maintain their status on a continuing basis. Loss of graduate faculty status may result from a rating by the appropriate dean of less than satisfactory on any of the three annual review criteria -- teaching effectiveness, scholarly and creative activity, and service. Faculty members who feel they have inappropriately lost Graduate Faculty status may appeal in accordance with procedures outlined in the Faculty Manual in the section entitled "Appeal of Administrative Annual Review."

APPENDIX A

PATENT AND COPYRIGHT POLICY

PATENT AND COPYRIGHT

Purpose and Scope

Patents. Although the search for commercially exploitable inventions is not a specific function of the university, a discovery leading to an invention may be a by-product of creative endeavor undertaken for other purposes. When such a discovery is made, it is the desire of the university to assist the inventor in evaluating, patenting, and exploiting his/her discovery. The purpose of this policy is to delineate procedures to encourage inventors to report discoveries with patent potential and to assist them while safeguarding the interests of all concerned parties. This policy pertains to all students, whether undergraduate, graduate, or postgraduate, part-time and full-time members of the faculty and staff, all other agents and employees of the university, and all other individuals who have made substantial use of the resources of the university.

It is the explicit intent of this policy to exclude any university claim to a discovery resulting from endeavor not supported by the university or endeavor to which the university's contribution is negligible. To safeguard against any future dispute as to university support, each discovery must be submitted for review in accordance with these procedures. A written opinion of the university will be provided the inventor to include, when appropriate, release of any university claim to the discovery.

Nothing herein will conflict with any agreement executed by the university with an outside agency. Outside sponsorship, particularly by federal agencies, usually involves agreement on patent matters, and each principal investigator will ensure that he/she and any fellow investigators understand such agreement. The Office of Sponsored Programs and Research will endeavor to obtain patent agreements with terms as favorable as possible for university personnel and will ensure that the inventor understands the final agreement.

Copyrights. The university places special emphasis on assistance to faculty for the development of instructional materials and other literary materials. The application of new technology to instruction and the creation of literary works often require expensive and complex equipment which cannot be owned or operated economically by individual faculty members or by regular departments on campus. In these cases the university often provides the necessary resources (or contracts for these resources). In addition, the development and production of educational or instructional materials, media materials, and literary or other materials often require specialized skills. Because data about the learning process, teaching modes, and new concepts in education are increasing very rapidly, it is difficult for faculty to

remain abreast of such developments without assistance. Therefore, many faculty utilize university consulting specialists and other types of support to bring themselves up to date. New instructional materials and other literary creations, consequently, may reflect a collaborative effort involving faculty members and other individuals or units on campus.

This policy governs the ownership, use, distribution and rights to income produced by these and other university-commissioned materials but specifically does not apply to materials or resources which are not university-commissioned (as defined in a later section of this policy statement). This policy applies to educational, literary, and media materials (regardless of medium utilized) provided the copyrightable material meets the university-commissioned test.

Administration

Committee. The university Patent and Copyright Committee (hereafter called the committee) consists of three members appointed by the President and six members of the faculty elected for terms of three years, with two members elected annually. The committee will select its own chair. At any time the chair may call upon any member of the university to appear before the committee to augment its expertise.

The committee will consider individual cases prescribed herein and be the patent and copyright advisory body within the university. It will report to the Provost.

Review Procedures. Any student, whether undergraduate, graduate, or postgraduate, or any faculty or staff member, or any agent or employee of the university, or any individual who has made substantial use of the resources of the university, who believes he/she has a new invention, e.g., discovery, computer program, process, method, use or combination, whether patentable or not, or a university-commissioned copyrightable work, shall bring it to the attention of the committee through its chair. Within a reasonable time period, usually thirty days after receiving such notification, the committee will convene to consider the invention or work. In considering the invention or work, the committee may consult with and receive advice from the university's counsel. Within ninety days following the initial meeting, the committee will make a determination of disposition of the case within the options of this policy and report its findings and recommendations to the Provost in writing. The committee, if it deems appropriate, may recommend changes in the equities set forth herein. The committee will also take reasonable steps to ensure that any joint inventors or authors (including students) are identified and, when appropriate, will recommend distribution of income among the inventors or authors. (Author[s] is used to designate the person[s] responsible for producing a copyrightable work.)

Patent Policy

Documenting a Discovery

When an individual believes he/she has conceived an invention, he/she should prepare a written and dated memorandum (disclosure statement) describing the invention (which serves as one proof of the date of conception). This memorandum, however, should be only

supplementary to the careful keeping of regular laboratory notebooks. Included as a part of the memorandum should be the names of all inventors, drawings, sketches, and other pertinent data to illustrate the principle of operation of the invention and its performance. The inventor should date and sign each page of his/her notebook and the memorandum, including all sketches and data sheets. Two witnesses, who are thoroughly capable of understanding the invention and who are not joint inventors or nor interested in it, should also date and sign each page. Because priority of filing a patent application is often a decisive factor in awarding a patent, it is important that the notebook be kept current and the disclosure document be prepared as soon as possible, since these records can be relied upon as corroboration of dates of conception and reduction to practice.

The law provides that the inventor is not entitled to a patent if his/her invention has been described in a printed publication any where in the world more than a year before his/her patent application is filed. Since extensive developmental work is often required before a patent application can be filed, an inventor should consider the desirability of delaying publication for a reasonable period of time.

The disclosure memorandum should be submitted to the chair of the committee for review in accordance with the procedures below.

Invention Categories. The committee will determine that the discovery belongs to one of the following categories.

Category 1. The discovery resulted from endeavor to which the university did not contribute or contributed insignificantly. In these cases the university relinquishes any equity, and the inventor is at liberty to dispose of his/her discovery as he/she sees fit. The inventor may elect to submit his/her discovery through the university to a patent development organization with which the university has entered into agreement.

A determination that a discovery belongs in Category 1 would indicate the inventor did not receive financial support from university resources other than salary and related benefits, did not use time during which he/she was released from duties, had no assistance from other faculty members, staff, or students unless clearly shown to be on their own time, and made no use of university facilities, supplies, or equipment. Further, it would indicate that the inventor's association with the university was not a major factor in obtaining non-university support. A Category 1 discovery could also result from university support which is judged by the committee to be insignificant.

Category 2. The discovery resulted from endeavor supported by non-university agencies but with university sponsorship. In most cases a degree of university support will be evident, although in some instances association with the university as a factor in obtaining outside support may be the only university contribution. In cases in this category, the university reserves the right to patent and exploit the discovery, subject to such limitations as may be imposed by prior agreement with the external sponsor. Federal regulations require written invention disclosures and written assignments of such inventions made under programs sponsored in whole or in part by the federal government. Forms for the inventions, disclosures and assignments may be obtained from the committee or from the System Legal Department.

Category 3. The discovery resulted from endeavor supported by the university. In these cases the university reserves the right to patent and exploit the discovery.

Developing Marketable Discoveries

In each case where the university support is evident (Category 2 or Category 3), the university reserves the right to assume full title to the discovery, to obtain a patent, and to exploit the invention. Sometimes it will not be to the best interest of the university or the Carolina Research and Development Foundation to assume this responsibility, weighing the complexity and cost involved against probable returns.

In the event the university or the Carolina Research and Development Foundation declines to assume the responsibility for development, the inventor will have the option of proceeding independently or using the services of a patent development organization with which the university has entered into agreement. The decision by the inventor to proceed independently will release the university or the Foundation from any further responsibility, but for its contribution to the discovery the university or the Foundation will receive a share of any income realized from commercial exploitation. This share of income will be determined at the time that either the university or the Foundation declines to assume responsibility for development.

Patent Development Organizations

The university has entered into formal agreements with, among others, The Battelle Development Corporation (BDC) and Research Corporation. Under each agreement the university may submit for evaluation such discoveries as it wishes. If the evaluation is favorable, BDC will provide the further development necessary to bring the invention to a point where it may be advantageously licensed. Research Corporation does not develop discoveries, nor does it provide funds to others for such development but rather relies on licensing established industrial concerns to do this at their own expense. Both organizations will accept title to the invention and proceed to obtain patents and to negotiate licenses. Any resulting income is divided among the organization, the university, and the inventor.

Normally, the inventor will recommend the organization to use in developing the discovery. The agreements between the university and the two organizations are filed in the Office of Sponsored Programs and Research where they are available for review, and members of the committee and of the Office of Sponsored Programs and Research may be consulted.

Latent Discoveries

Frequently, an external agency will solicit materials or devices from a university project for investigation by the agency staff for any patentable discovery. Such a solicitation shall be referred to the committee which will determine whether there is any apparent discovery which should be developed under this policy. The committee will also determine whether proposed arrangements with the soliciting agency are reasonable from the point of

view of the university and university personnel involved. It will submit a written report to the Provost who will take appropriate action.

Equity

The equity in any marketable invention is expressed as a percentage of income. Nothing herein shall conflict with an agreement signed by the university as a condition to receiving support from an external sponsor.

1. In cases in which the inventor proceeds independently, but in which the university or the Carolina Research and Development Foundation has established an interest (Category 2 and 3), the university or the Carolina Research and Development Foundation will receive a maximum of 15 percent of income after deducting from income any expenses of litigation and expenses including, but not limited to, research and development expenses, patent expenses, and licensing expenses.
2. In cases in which Research Corporation assumes responsibility, after first deducting any expenses of litigation consented to by the university, 42 percent of royalty income will be retained by the Corporation in accordance with the terms of the agreement. The first \$1,000 of the balance will be paid to the inventor, and any balance beyond \$1,000 will be divided equally between the university and the inventor. All costs of filing and prosecuting U.S. and foreign patents and for negotiating and administering licenses are paid by Research Corporation out of its 42 percent share of the royalty income...
3. In cases in which The Battelle Development Corporation assumes responsibility, 50 percent from income will be paid to BDC after deducting amounts from income necessary to reimburse BDC for its expenses including, but not limited to, research and development expenses, patent expenses, and licensing expenses. The first \$1,000 of the balance will be paid to the inventor, and any balance beyond \$1,000 will be divided equally between the university and the inventor.
4. In cases in which the university or the Carolina Research and Development Foundation assumes responsibility, 25 percent of income will be paid to the inventor after deducting from income any expenses of litigation and expenses, including but not limited to, research and development expenses, patent expenses and licensing expenses.

With a Category 1 discovery (no university interest), the inventor may elect to use the services of a patent development corporation, submitting his/her discovery through the University. In these cases the distribution of income between the university and the inventor will be adjusted in favor of the inventor.

Copyright Policy

Definition of University-Commissioned Educational and Other Literary Materials and Media Materials

1. The University of South Carolina recognizes the right of all employees to engage in the uncommissioned creation of scholarly, pedagogical, and artistic works subject to copyright and to copyright such works and to receive royalties from their use. Uncommissioned activities are defined as those which do not receive substantial aid from the university or from an outside agency through university channels. The university does not normally construe the provision of office and library facilities and modest routine secretarial assistance as constituting substantial aid, nor does it construe the payment of salary as substantial aid except in situations where the funds are paid specifically to support the development of original materials subject to copyright. Scholarly books and articles, textbooks resulting from usual teaching activities, painting, musical compositions, graphic art, and media materials are all examples of work that may be uncommissioned.
2. The university gains a right to materials subject to copyright when such materials result from activity commissioned by the university or by an outside agency through university channels. The substantial aid that constitutes a commission may be in the form of directly allocated funds or of university facilities and resources. Educational, literary, and media materials which may be commissioned by the university include, but are not limited to, the following:
 - a. books, periodicals, lectures, or other productions prepared for oral delivery and the notes to same, study guides, texts, syllabi, workbooks, bibliographies, and tests;
 - b. programmed instructional materials;
 - c. a work or works of art or models or designs for a work or works of art;
 - d. slides, transparencies, charts, maps, photographs, drawings, prints, pictorial illustrations, labels, and other graphic materials, photographic or similar visual materials and film strips;
 - e. computer programs;
 - f. dramatic productions, musical productions or music compositions of any length or description;
 - g. three-dimensional works of a scientific, technical, or instructional character;
 - h. three-dimensional materials and exhibits;
 - I. motion pictures;
 - j. recorded video and audio tapes or live transmission;
 - k. contributions to or component parts of any of the above, including notes, drafts, models, story outlines, scripts, shooting scripts, production outlines, out-takes;
 - l. combinations of the above and other types of materials; e.g., multimedia and other instructional or educational, literary, and media packages;
 - m. reproductions of any of the above in any quality and in any form.

3. Faculty members, students, or staff members having questions as to whether educational, literary, and media materials they are preparing or planning to prepare should be considered university-commissioned must petition their department heads who will in turn notify the Patent and Copyright Committee of the circumstances surrounding the project. The petition should contain brief descriptions of the materials to be produced, the resources to be utilized, and a statement concerning the time to be devoted by the author/creator to its preparation. The committee may wish to call a hearing to further investigate the production of the piece of work in accordance with the Review Procedures in the section on "Administration." The findings of the committee and the Provost are subject to appeal as outlined in this section.

Ownership and Copyright

The legal title to all university-commissioned educational, literary, and media materials as defined in above shall be vested in the University of South Carolina with the following exception: materials produced on grants from the federal government or other outside sponsors shall be subject to the conditions of the contract or grant (to be negotiated solely by the university) with respect to ownership, distribution, use, and other residual rights of and to such materials. All such materials shall bear the required statutory notice of copyright naming the university as the copyright proprietor. The university will advance the copy rights on those materials deemed by legal counsel to be eligible for new copyright. After consultation with the author, the university may at its discretion use, assign, transfer, license, lease, or sell all or part of its legal rights in educational, literary, and media materials.

Pre-Production Agreement

Since conditions of production, use, and final disposition will vary from time to time, prior to the beginning of production authors/creators and the university will develop written agreements to define the rights and responsibilities of the parties. Such agreements are subject to the guidelines set forth herein and will be complete and specify any or all exclusions. The university legal staff will be consulted so that appropriate contractual details may be worked out, and a final copy of all contracts shall be maintained on record in the legal office.

Internal University Use

"Internal" is defined as all University of South Carolina campuses and extensions by television or otherwise. All use of university-commissioned materials by any unit of the university for instruction or other purposes will be subject to the following conditions:

1. Use internal to the university requires approval of the college, department, or individual primarily responsible for the materials, so long as said materials are used within the context of their intended use. Use out of such context requires special permission of the creator and his/her department.

2. The contribution of the faculty member, student, or staff member involved in the production of university-commissioned materials must be explicitly recognized and noted by the user.

External Use

After consultation with the author, the university as owner and copyright holder may at its discretion assign, license, transfer, lease, sell, or otherwise convey all or part of its rights in university-commissioned materials. Charges to external users will be negotiated solely by the university or its assignees with such users. It is possible that differing fees to other State agencies, nonprofit educational users, consortium users, and others will be a result of these negotiations. In any case, the university has the exclusive right to set per unit prices, package prices, and conditions under which sale, lease, reproduction, or use of materials is authorized.

Revision

Revision of university-commissioned material which does not require substantial university resources may be made at any time by the faculty member, student, or staff member involved subject to the approval of the member's department.

The responsible faculty member may recommend to the university and other users the discontinuance of distribution and/or use of materials which he/she deems no longer appropriate or which he/she judges to be detrimental to his/her professional reputation. Mutual agreement by both parties is required for revision or discontinuance in such cases. After a significant period of non-use (at least three years), materials which have not been revised shall be reviewed by the authoring faculty member, student, or staff member, and the university unit or units most directly involved in their production and the authoring faculty member, student, or staff member may request their withdrawal, erasure, or destruction. The university, in its sole discretion, may require such withdrawal, erasure, or destruction, and its decision in that regard shall be final.

Equity

With the exception specified below, the university shall not make any payment to the university-employed faculty member, student, or staff member involved in the production of university-commissioned educational, literary, and media materials for production and internal use other than the compensation which he/she regularly receives from the university.

1. Exceptions on payments for internal use of materials:

- a. At the discretion of the department chair, faculty will normally be accorded released time at a declining level through the stages of planning, production, and presentation, including the first and subsequent semesters of utilization. Faculty eligible for released time include the responsible faculty member and other faculty members assigned to work on the project by department or its functional equivalent.

- b. If the faculty member, student, or staff member leaves the university, further internal use of the materials upon reasonable terms shall be provided for and payments to his/her estate for such internal use of the material shall continue to be made, subject to terms of pre-production agreements.
- c. A faculty member, student, or staff member not on assignment to the university (e.g., during summer sessions or on leave) but appearing in or involved in producing educational, literary, or media materials may be provided compensation when such materials in which he/she personally and prominently appears are used. Compensation will be mutually agreed upon in the pre-production agreement by the faculty member, student, or staff member and the department involved, based upon (1) the amount of continual responsibility of the party involved for monitoring, revision of lessons, or supervision of the work of the course if known; (2) whether the course is completely or partially recorded; (3) the extent to which the participating faculty member, student, or staff member's time and creative efforts have been previously compensated; and (4) any other relevant factors.

2 The university shall have the perpetual right to market or license external use of university-commissioned materials. The financial benefits of external distribution shall be shared by the department or functional equivalent; the responsible faculty member, student, or staff member; and the institution, with a negotiated portion designated for outside or non-university production sources as required.

- a. The division of income accruing to the university under this policy shall be: 25 percent to the faculty member, student, or staff member (to be divided equitably if there is more than one originator); 25 percent to the department and/or other functional unit which authorized and supported the development and production of the materials; 25 percent to the Instructional Development Fund; and 25 percent as general university income. The monies distributed to the department and/or other functional units and to the Instructional Development Fund shall be used to encourage further educational and instructional activities by the faculty.
- b. Exceptions to distribution percentages and/or payment provisions may be made for incentive purposes but must be negotiated in preparation agreements.

3 If the university licenses an external agency to produce or market the materials, the total royalties shall be negotiated between the university and the external agency. The net income from royalties accruing to the university shall be divided among the faculty member, student, or staff member, the university, and the department in the same proportions as previously delineated.

4. It is expected that the share of each department (or functional equivalent) will be devoted to (1) teaching load adjustment necessitated by production, or (2) development of new course materials or other educational, literary, and media works and/or the revision or upgrading of the original materials.

5. The distributions above shall be continuing except in the case of termination or death (see 7 below.)
6. The foregoing does not apply to "work-for-hire" arrangement or to the production of copyrightable materials as an assigned duty.
7. The institution's right to use materials will continue regardless of the employment status of the responsible faculty member, student, or staff member. The author/creator's share in external distribution revenues shall remain the same for a ten-year period and shall accrue to his/her heirs in the event of termination or death.

Protection and Liability

Protection. The university shall be responsible for the investigation of recorded allegations of unauthorized use or infringement of copyrighted materials. Where legal action is deemed necessary by the university, in its sole discretion, to enforce copyrights, the university agrees that all costs and expenses incidental to such actions shall be borne by the university and any proceeds of litigations in excess of costs shall be shared between the parties in the proportions set forth previously (as applicable) when final adjudication of the legal action is rendered.

Liability. The faculty member, student, or staff members responsible for the creation of university-sponsored educational, literary, and media materials shall obtain appropriate releases from individuals prominently appearing in or giving support to the materials, giving all necessary rights to the university. Form releases may be obtained from the System Legal Department. All original releases must be filed with the university's legal counsel.

Before any external use is made of university-sponsored material, the faculty member, student, or staff member authoring or creating the material shall certify in writing to the university that to the best of his/her knowledge materials used therein do not infringe or violate any existing copyright or other personal or property right of any legal or natural person. If this statement proves false due to misrepresentation or negligence, the faculty member, student, or staff member shall indemnify and hold harmless the university for all costs and expenses to which it has been subjected as a result of such representation made herein.

In the event that others allege violations of personal or property rights by the university, or by the faculty member, student, or staff member, or producer of university-sponsored educational and other literary materials, the university will assume responsibility for defense of any litigation and the satisfaction of any judgment rendered against the university, faculty member, student, or staff member. (This provision is subject to the conditions set out above.)

Consultant Activity

A member of the university staff may be permitted to do professional work of an expert character outside the university and to receive pay therefor when the work in question

contributes to the professional development of the faculty member. No such outside work shall be undertaken except on the prior approval of the dean of the school or college concerned and prior authorization of the Provost. The university reserves the right to declare a conflict of interest at any time. Laboratories, equipment or other facilities of the university generally are not available to university employees for consulting work. Patent and copyrights for approved consultant activities are matters to be decided between the faculty member and the outside agency. If, however, university facilities are used, an interest of the university is thereby established, and agreement as to patent and/or copyright matters should be resolved before undertaking the project. Conversely, when the university hires a consultant, specific prior arrangements should be made in the consultative agreement for protection of the university's rights. The Patent and Copyright Committee should be consulted for assistance in resolving these questions.

In cases where a university employee is hiring a consultant to be paid from a university grant or contract, such consulting is subject to the funding agency's regulations imposed within the grant or contract document. Further, if the consultant to be hired is a State employee, remuneration for such activities is governed by the university's policies on extra compensation and the State's policy on dual employment.

APPENDIX B

Bylaws of the Faculty Senate Adopted 1986

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Article I: Purpose and Responsibilities

The Faculty Senate of the University of South Carolina at Spartanburg, having been created by direction of the university faculty to act by and for that body, is endowed with all the powers and responsibilities of the university faculty except for those powers specifically reserved by that body to itself, provided that the university faculty may amend or repeal any actions of the Faculty Senate. Powers specifically reserved by the faculty, include, but are not limited to, election of faculty officers and committee members.

Article II: Members

Section 1. The Faculty Senate membership is composed of voting members of the university faculty elected from each division, each school, and the library (hereinafter referred to as electoral units). For the purpose of these bylaws, the term "voting member" is defined as specified in the *Faculty Manual* of the University of South Carolina at Spartanburg.

Section 2. Representation on the Faculty Senate shall be allocated as follows: one representative for every seven faculty members (or portion thereof) per electoral unit. Representatives of electoral units shall be elected by secret ballot by the members of that unit. These representatives shall be elected prior to the September faculty meeting, except that a vacancy occurring in midyear shall be filled as soon as practicable according to the procedure described above.

The Faculty Chair shall designate terms of one, two, and three years for Senate members so that approximately one-third of the members will be elected each year. This designation shall be made so that each electoral unit, shall have a reasonable balance of members with each of the terms. Thereafter members of the Senate shall have terms of three years, unless chosen to fill unexpired terms.

Section 3. [This Section is Amended by Amendment I] No later than the opening of the fall terms each year, the chief administrator of each electoral unit shall recompute the number of Senate members to which his/her electoral unit is entitled and revise the number of vacancies to be filled accordingly.

Amendment I. No later than February 1, the chief administrator of each school or division shall submit to the Faculty Advisory Committee a list, by name, of the voting members of the faculty of their units as of the spring semester 1985. The Faculty Advisory Committee will compute the number of senators for each school or division. Reapportionment will be accomplished thereafter every third year as early as practicable during the spring semester.

A reduction in voting membership of an electoral unit shall not result in the removal of any senators until the expiration of their terms. An increase in voting membership of an electoral unit during the year shall not increase the number of representatives to which that unit is entitled for that year.

When an additional representative position must be added to the Senate due to increased membership in an electoral unit, the Faculty Chair shall assign to that new position a term of one, two or three years to maintain the balance of one, two, and three-year terms on the Senate with preference being given to the longest possible terms.

Article III: Officers

The presiding officer of the Senate shall be the Faculty Chair who shall prepare and circulate the agenda to all members of the faculty at least five days prior to the meeting date. The Faculty Chair-elect shall serve as presiding officer in the absence of the Faculty Chair. The recording Secretary shall record and distribute to the faculty written minutes of Senate meetings, and annually compile and publish a summary of Senate actions. The immediate past Faculty Chair continues to serve as a faculty officer.

The four aforementioned officers are voting members of the Senate, except that the presiding officer shall vote only to break a tie.

Article IV: Procedures, Stipulations, and Conduct of Business

Only members of the Faculty Senate may present motions and vote. Any member of the university faculty may attend any Senate meeting and speak on matters brought before the Senate. All votes taken in the Senate shall be voice, unless a written ballot is desired by any senator;

The Faculty Chair shall call a faculty meeting for the purpose of reconsidering an action of the Senate upon receipt of a petition signed by 25 percent of the voting members of the faculty; a decision made by the Senate may be overruled at a regular or called general faculty meeting by a majority of the full faculty membership.

Faculty Committees shall report directly to the faculty Secretary who will be responsible for placing appropriate items on the agenda.

The Senate shall follow **Robert's Rules of Order (Revised)** unless otherwise stipulated.

All elections are conducted by secret ballot.

An agenda is prepared prior to the Senate meeting by the faculty Secretary and is distributed to all faculty members at least five business days prior to the Senate meeting. Senate members may contribute to the agenda by submitting items to the Faculty Chair ten days prior to the meeting.

Article V: Meetings

Section 1. Regular meetings of the Senate shall be held monthly during the academic year, and once during the Summer Session.

Section 2. Special meetings of the Senate can be called by the Faculty Chair upon the written request of ten (10) members of the Senate or by the Chancellor, Vice Chancellor, or the Faculty Chair. The purpose of the meeting shall be stated in the call. The Senate may not consider other business beyond that stated in the call for a special meeting.

Except in cases of emergency, at least three (3) business days notice shall be given the faculty and the meeting must be held within eight (8) business days from the receipt of the written request.

Section 3. A majority of the members of the Senate shall constitute a quorum.

Article VI: Committees of the Senate

The Faculty Chair may create ad hoc committees composed of members of the Senate when the need for such committees shall arise.

Article VII: Amendment of Bylaws

These bylaws can be amended at any regular meeting of the Faculty Senate by a two-thirds vote, provided that the amendment has been submitted in writing at a previous regular meeting.

Article VIII: Publication of Bylaws and Rules

The bylaws of the Faculty Senate shall be published in the *Faculty Manual* and in such other form as may be convenient for distribution, and such publications shall be revised from time to time as deemed necessary.

Article IX: Changes to the Faculty Manual

Changes to the Faculty Manual, with the exception of matters pertaining to promotion and tenure will be made by the Faculty Senate by a simple majority of those voting, with the approval of the Chancellor of USCS, the President, and Board of Trustees of the University of South Carolina. Matters pertaining to promotion and tenure require a two-thirds vote of those voting at a general faculty meeting. Proposed changes to the Faculty Manual must be provided to the faculty in writing at least one month prior to the meeting at which these changes will be considered.

APPENDIX C

FACULTY GOVERNANCE AND PROCEDURES

AMENDMENTS TO THE FACULTY MANUAL

¹ An amendment of the Faculty Manual may be initiated by the Faculty Senate, the Faculty Advisory Committee, or the Chancellor. An amendment is considered in this order: by the Faculty Senate, the faculty, the Vice Chancellor for Academic Affairs, the Chancellor, the President, and the Board of Trustees. When approved by the Board of Trustees, the amendment is placed in the Faculty Manual. If the Chancellor disapproves an amendment approved by the Faculty Senate and the Faculty, it is returned to the Faculty Senate within 30 days of receipt, together with the reasons for disapproval; the Faculty Senate may (1) drop the amendment, (2) revise the amendment and refer it to the faculty for action; or (3) return it without revisions to the Chancellor, who, within 10 days of receiving it sends it forward without a recommendation to the President and notifies the Faculty Chair of the action.

PART-TIME FACULTY POLICY

The employment of part-time faculty members provides economy and flexibility to institutions. It is highly desirable at USCS where growth has been continual, and where the funding formula provides support a year after growth has occurred, and full formula funding has not been realized for more than a decade. Part-time faculty are employed to provide specialized requirements in certain areas, to accommodate surges in enrollment and the initiation of new programs.

While the need for part-time faculty is clear, they usually are not as familiar with the University's mission, philosophy and academic policies as full-time faculty members and do not have the same level of commitment to the students and the University. In recognition of these facts of life, an orientation is held for part-timers each year and they are provided with a handbook. The University also recognizes that an over dependence on part-time faculty is unwise and so endeavors to limit the number of courses taught by part-time faculty members employed in any academic program to less than 20 percent.

All part-time faculty employed by USCS will have at least a master's degree and eighteen hour of graduate work in the area of their teaching. Further, part-time faculty will be evaluated annually by deans or division chairs as appropriate. A report of the evaluation will be kept on file in the responsible dean's office. The ADN Program in Nursing is exempted from this policy.

SABBATICAL LEAVE POLICY

(Approved by Board of Trustees 5-5-95)

Each school or division may have no more faculty members on sabbatical leave in any academic year than is determined by reference to the following table:

<u>Number of Faculty Eligible for Sabbatical Leave in the School/Division</u>	<u>Number of Sabbatical Leaves Available Pending Availability of Funds</u>
0-7	1
8-14	2
15-21	3
22-28	4

In case more faculty members in a given school or division apply for a sabbatical leave in a given year, the priority order will be determined in order of preference by the quality of the proposal, by rank (professors to be selected before associate professors, etc.), and finally, by the number of years of service since the last sabbatical leave.

SABBATICAL REVIEW COMMITTEE GUIDELINES

Committee members are elected by the members of their units. Terms are for three years. The Committee elects its own chair.

Faculty members notify their supervisors by the third Monday in October of their desire to take a sabbatical the following academic year so that budget planning may begin. They also begin making appropriate contacts and tentative arrangements at this time so that a reasonably detailed proposal can be submitted to the Sabbatical Review Committee by the third Monday in January.

A sabbatical proposal includes a statement of the purpose and nature of the sabbatical project; a description of the importance of the work to the mission of USCS; a description of the methodology to be used; a statement of the results anticipated from the sabbatical; and an indication of why a sabbatical leave is necessary for the conduct of the project (i.e., why is the project not within the normal scope of scholarly or service activities expected routinely of faculty members). The proposal should include the following attachments:

1. a vita, including dates of employment at USCS and previous sabbaticals.
2. a letter of support from the dean (and unit chair if appropriate)
3. a time-line for the work to be done
4. a budget (if additional funding will be needed)

5. if another agency, organization, or institution will be involved, a letter indicating its intent to cooperate with the project
6. a statement detailing any expected outside compensation or reimbursement

The Committee reviews and ranks the proposals within academic units according to the following criteria:

1. The contribution the sabbatical will make toward increasing faculty members' knowledge of their disciplines or ability to teach their disciplines
2. the practicability of the proposal in light of available resources
3. the number of years faculty have served at USCS
4. the results of earlier sabbaticals, if any

Sabbatical leave may be granted for faculty pursuing advanced degrees.

The Committee forwards all proposals, ranked within academic units, to the Vice Chancellor for Academic Affairs by the third Monday in February. The Vice Chancellor for Academic Affairs decides if sabbatical release can be accommodated through the reassignment of faculty, hiring of part-time faculty, or by other means and notifies the faculty of approval or disapproval of the sabbatical leave request by the second Monday in March. If approved, well before beginning the sabbatical leave, the faculty member meets with the Dean to assure that normal responsibilities are covered, and with the Director of Human Resources to make arrangements for continued insurance coverage (including notifying the host organization - if any - of such arrangements), and for continuing retirement payments (for year-long leaves), etc.

Proposals rejected by the Vice Chancellor will contain a clear statement as to the reasons for the rejection, either (1) logistical (e.g., insufficient funds) or (2) substantive (e.g., proposal was without sufficient merit or failed to meet appropriate criteria).

Within two months after the end of the sabbatical, faculty who received sabbaticals submit a report describing accomplishments and the current status of the project to the Sabbatical Review Committee. The Committee reviews the reports and forwards them to the Vice Chancellor for Academic Affairs. The Vice Chancellor for Academic Affairs distributes the reports to the heads of the appropriate voting units, and places copies in the archives of the USCS library.

SALARY INCREASES POLICY

The University endeavors to pay salaries which are above the average by discipline of those paid at peer institutions in South Carolina. Salary increases are made on a combination of across-the-board and merit bases, the percentage allocation depending on such factors as the change in the inflation rate and the level of state support. Salary reviews reflect the annual evaluations. Salary increases are initiated by the Deans, then forwarded to the Vice Chancellor for Academic Affairs, who makes recommendations to the Chancellor.

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